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THE UNIVERSITY OF ALBERTA

THE CHANGING POLITICAL ROLE OF THE SECRETARY-GENERAL
OF THE UNITED NATIONS

A DISSERTATION

SUBMITTED TO THE FACULTY OF GRADUATE STUDIES
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by

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The undersigned hereby certify that they have
read and recommend to the Faculty of Graduate Studies
for acceptance, a thesis entitled "The Changing Political
Role of the Secretary-General of the United Nations"
submitted by Frederick George Hulmes in partial fulfillment
of the requirements for the degree of Master of Arts.

ABSTRACT

In 1945 a political role was assigned to the Secretary-General of the United Nations, but its nature and extent was largely undefined. No attempt was made to establish a priority as between the administrative and political functions, and the principal Powers did not appear to be agreed among themselves on the political role.

The first Secretary-General, Mr. Trygve Lie, placed primary emphasis on the political role, although the level of his political activity was not constant throughout. While his first major political intervention, in the Iranian case, was not very successful, he extended progressively the range of his political activities until a peak was reached at the time of the Korean crisis in 1950. Because at times he appeared to disregard the attitudes of the principal Powers towards his activities, he was accused almost alternately of being an agent of East or West. The indignation of the USSR at his intervention in the Korean crisis led to the casting of a veto during the controversy over the extension of his term of office, and it was the opposition of the USSR which led Lie to resign before his extended term expired.

Lie's tenure was characterized by his independent political initiative and by the public approach to controversial political issues.

The Second Secretary-General, Mr. Dag Hammarskjold, for the period ending in mid-1956 adopted a much different approach to the office.

Two of the principal Powers which nominated him, Britain and France, for unestablished reasons wished to see him play a less vigorous political role than had his predecessor. During his first two years he concentrated on administration, in part perhaps because of the state of the Organization resulting from Lie's neglect of administration. When he did engage in political activity, beginning in 1954, he did so only under mandates conferred upon him by the Assembly or Council. He exercised considerable initiative, however, in the manner in which he complied with the mandates, and he expressed his right to go beyond the mandates. He did not use the public approach to the same extent as Lie, preferring apparently the behind-the-scenes approach.

Thus the office of Secretary-General went through one process of development under Lie and began another under Hammarskjold. The variation in approach seems to have depended upon at least three factors: the backgrounds and personalities of the Secretaries themselves; the attitudes of the principal Powers; and the issues confronting the United Nations.

PREFACE

The creation of the United Nations in 1945 was one of the most important developments of the post-war world. Despite the fact that it has not accomplished what its more enthusiastic supporters anticipated, it has played an important role in many post-war international incidents. While the United Nations is not an organization distinct from its members, it has developed, in law and in fact, a more distinct character than did the League of Nations. This being the case, the senior permanent international civil servant, the Secretary-General, was bound to play a more important role than his counterpart in the League of Nations. The extent to which his role has been a political one, and the way in which it has changed since 1945, form the subject matter of this thesis.

This thesis is essentially descriptive. It was not my intention to pass any final judgment on the roles played by the respective Secretaries-General. Such a judgment would involve the making of a number of prior judgments concerning, for example, the action that the United Nations should have taken in the various political questions that have arisen, and the effective action the Secretary-General might have taken. Though in the course of research and writing certain impressions were formed, any final judgment would require more intensive investigation and information than was possible or available here.

It must be pointed out that any student undertaking a study of this nature is faced with certain problems with respect to research material. Many of the events that required examination, because of

their relatively recent nature, have not yet been fully documented. There is the further natural difficulty of finding information about behind-the-scenes activity by the Secretaries-General.

This thesis has been primarily based on material available at the University of Alberta. The University does not hold all the material pertinent to this thesis that has been published. It was felt, however, that sufficient material was available to undertake this study, and particular use has been made of the almost complete collection of the Official Records of the United Nations held in the Rutherford Library.

The following caution, however, must be expressed. Because the research material is not as complete as one would wish, though it is believed that the general picture it conveys is accurate, any conclusions drawn should be regarded as tentative in nature.

A word must be said about the handling of footnote references to United Nations documents. All the documents of the United Nations that have been used are part of the Official Records of the United Nations. However they will not all be cited as Official Records. The practice generally followed, and that followed by the United Nations itself, is to refer to a document by its number, e.g., Document A/1844. Only where a document bears no number is it cited by title, e.g. Official Records, General Assembly, Sixth Session, Plenary Meetings.

An explanation must also be made of the document numbering system. The first letter indicates the deliberative organ, as follows:

A/ General Assembly
S/ Security Council

Where the letter is followed directly by a number, as in Document A/1844, then it indicates that this is the 1844th document of the General Assembly. The same pattern is followed for the other organs. The following further combination of letters and numbers will also be found: Document A/C1/771. This stands for the 771st document of the First Committee of the General Assembly.

A similar pattern is used when referring to verbatim records of a deliberative organ, e.g. S/PV. 460. This stands for the verbatim record of the 460th meeting of the Security Council. PV stands for verbatim record, from the French, procès-verbal.

Reference will also be made to Document P.C. 20., which is a document of the Preparatory Commission of the General Assembly which functioned in 1945-46.

Several people have contributed directly or indirectly to this study. Their assistance is gratefully acknowledged.

Thanks are expressed to Dr. E. J. Hanson and Professor G. R. Davy who in large measure made it possible for me to undertake the writing of this thesis. During the writing, Professor Davy provided most helpful advice and encouragement. Once more my thanks are extended to him. My thanks also go out to Miss Dorothy I. Hamilton, Reference Librarian of the Rutherford Library, and to her staff, for the gracious assistance rendered.

Mine is the sole responsibility for this thesis, and for any error other than that contained in the source material itself.

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CHAPTER 1

THE POLITICAL ROLE ENVISAGED FOR THE SECRETARY-GENERAL

The title of this thesis implies that the political role of the Secretary-General of the United Nations has been changing. More accurately the problem is whether that role went through a process of change during the period 1946-56.

It may be asked why this matter need be considered at all. In reply, it would seem that its greatest significance lies in its relationship to the larger question of the evolution and nature of international organization established primarily for the preservation of peace. The United Nations, as the League of Nations before it, was formed by the action of individual states, and the representatives accredited to it speak in terms generally conditioned by national interest. To the extent that the Secretary-General is able to play a political role which represents the interests of the United Nations as a whole, as distinct from those of an individual state, and become a political influence flowing from the Organization itself, a forward step would be taken in the development of international organization and in the building of an international outlook.

In determining whether the political role has gone through a process of change, it seems appropriate to find, if possible, what role was originally envisaged for the Secretary-General of the United Nations, and then to determine what changes, if any, and for whatever reasons, have taken place in this role during the regimes of Mr. Lie and Mr. Hammarskjold.

The first task is to find what role was planned for the Secretary-General; as a preliminary step in this process it is necessary to define one or two terms and desirable to look briefly at the experience of the League of Nations and the International Labour Organization.

In the following pages the terms 'administrative role' and 'political role' will be frequently used. While the student of political science and especially of public administration is aware of the difficulties involved in making a clear cut distinction between policy and administration, nevertheless the following may be understood by the above terms: 'administrative role' refers primarily to the execution of policy; 'political role' primarily to the influencing and creation of policy.

What has been the experience of the League of Nations and the International Labour Organization? ¹ The League Secretariat was first headed by Sir Eric Drummond as Secretary-General and the International Labour Organization by Albert Thomas as Director-General. Drummond, a former British civil servant, trained to give unobtrusive administrative direction, did just that. He saw his role as essentially administrative, in the tradition of the British civil service. This was consistent, it appears, with the attitude of the drafters of the Covenant, for proposals were rejected for giving the Secretary-General

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1. The experience prior to the creation of these organizations has not been considered because the history of international secretariats only "effectively begins with the creation of the League of Nations and the International Labour Organization after World War I." Inis L. Claude, Jr., Swords into Ploughshares (New York, 1956), 195.

a voice in policy making.² The role played by Albert Thomas of the International Labour Organization differed greatly from Drummond's. Thomas had been a French politician and a prominent labour leader, and he took, as a result of his long experience, a most active part in the policy process. It has been said of Thomas:

By the force of his personality he made for the Director of the Office a position which the Secretary-General of the League was never accorded. It was the Director's business to lead. He spoke on every subject and whenever he liked. Whatever the topic of discussion, he was there to represent the international standpoint. . . . Thomas established the tradition that the Office must have a view on every question and express it through the Director.³

Yet, somehow Thomas was able to maintain a "reputation for impartiality which did much to strengthen the idea of an international^{al} civil service."⁴

The world in the inter-war period, therefore, had seen demonstrated two conceptions of the role of head of a major international secretariat; one primarily administrative, the other primarily political. Those who thought about the role of the Secretary-General of a new international organization would likely have had the above examples much in mind. Either one or the other role could have been chosen for the Secretary-General of the United Nations, or a combination of the two.

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2. Egon F. Ranshofen-Wertheimer, The International Secretariat (Washington, 1945) 36, cited in L. Latry Leonard, International Organization (New York, 1951), 240.
 3. Harold Butler, The Lost Peace (New York, 1942), 47.
 4. Leonard, op. cit., 242.

Even before the end of the Second World War thought was being given to a new international organization to replace the League of Nations.⁵ From the Moscow Conference in 1943 came the "Declaration of Four Nations on General Security" which recognized "the necessity of establishing at the earliest practicable date a general international organization . . . for the maintenance of international peace and security."⁶ Shortly thereafter a number of suggested drafts of a new "covenant" were forthcoming from private peace organizations and intellectuals, in what was apparently an attempt to influence the form of the new international organization. Two of the most noteworthy of these were to make similar references to the role of the Secretary-General.

The Executive Committee of the League of Nations Society in the United Kingdom, in a draft introduced by Field Marshall Smuts of South Africa, who had played a quite considerable role in the drafting of the League Covenant, made these recommendations in Article V.

It shall be the duty of the Director-General to assist in all the work of the International Authority and especially to organize the methods of work of the Secretariat

Apart from any action taken by any member of the International Authority it shall also be part of the Director-General's duty to draw the attention of the Assembly and the Council to any condition of international affairs which threatens peace or the

5. For a brief background statement, see Gerard J. Mangone, A Short History of International Organization (New York, 1954), 167-69.

6. Quoted in Leonard, op. cit., 45.

good understanding between nations on which peace depends. He may for this purpose take such steps to collect information as he shall think desirable and may, if necessary, arrange for a special meeting of the Council to consider the position.⁷

It is noteworthy that this draft provides for the Director-General to play both an administrative and a political role, and that the political role is mandatory.

A group of prominent Americans, including Philip C. Jessup and James T. Shotwell, drew up a Design for A Charter of the General International Organization. This Design, while making the Secretary-General "the chief administrative officer" also recommended that:

11.c) The Secretary-General should be authorized to participate in the deliberations of the Assembly, the Council, and the General Commission, and to lay before these bodies any international matter which he may deem appropriate.

17.a) The Secretary-General should be authorized to convoke the Council in the event of an emergency.⁸

The wording here with respect to the political role seems to be discretionary. It is interesting that two groups, on different sides of the Atlantic, should have both proposed a Secretary-General more on the line of Albert Thomas. It seems that in some circles there had been thinking about the role of the Secretary-General, and it was concluded that the Drummond concept was not adequate. It soon appeared that this view was rather widely held, as the Dumbarton Oaks proposals were to indicate.

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7. "Draft Pact for the Future International Authority," International Conciliation, Nos. 396 - 406 (1944), 133-34.
 8. "A Design for A Charter of the General International Organization," International Conciliation, Nos. 396-406 (1944), 532, 534.

During this same year of 1944, the Dumbarton Oaks Conference, from which emerged the Dumbarton Oaks Proposals for the Establishment of a General International Organization, was held. The proposals, drawn up by the Big Four--the United Kingdom, the United States, the USSR, and China--were to serve as the working draft for the charter of the new international organization. Since the Big Four were mainly responsible for forming the proposals, something of their views should be set forth.

In searching for the American views it might be expected that some information would be found in the writings of Cordell Hull, who was the American Secretary of State at the time. Unfortunately, in his two volume Memoirs there is but scant reference to the head of the new Secretariat. He says: "We likewise provided for a Director-General of the organization, who would be its chief administrative officer"⁹ The emphasis on administration is obvious, but deep inferences should not be drawn from such a brief statement.

Further information as to the American position, however, is provided in a recent book, A History of the United Nations Charter by Russell and Muther.¹⁰ It is noteworthy that it draws extensively on the working documents of the United States Department of State. It refers to a number of drafts of a charter for the new international organization

9. Cordell Hull, The Memoirs of Cordell Hull, Vol. II (New York, 1948), 1654.

10. Ruth B. Russell, assisted by Jeanette E. Muther, A History of the United Nations Charter (Menasha, Wisc., 1958).

which were prepared prior to the Dumbarton Oaks Conference. The major documents were: The Draft Constitution, the Staff Charter, the Outline Plan for the President, and the Tentative Proposals.

The Draft Constitution and the Staff Charter were drawn up by departmental officials, and were not, according to Russell and Muther, thoroughly considered above the staff level.¹¹ These two drafts reflected the belief of officials that one of the weaknesses of the League was that the Council could not initiate action to secure peace unless the members took the initiative.

It was proposed in the Draft Constitution that a General-Secretary should be made the permanent non-voting chairman of the Council. He could, in the event of a breach of the peace, or imminently threatened breach, after consultation with the available members of the Executive Committee of the Council, request the parties to take no action that would aggravate the situation, and summon a meeting of the Council.¹² The General-Secretary, under this plan, would in large part delegate his administrative functions. Russell and Muther claim that another reason for the above was that there had been unofficial proposals "favoring some public figure of international reputation for the top office of the postwar organization."¹³

11. Russell and Muther, op. cit., 371.

12. Ibid.,

13. Ibid.,

The Staff Charter contained substantially the same provisions, except that the title of General-Secretary was changed to that of Director-General so as to emphasize that he was more important than the Secretary-General of the League. The Director-General, "a man of great competence and international reputation, was to be the non-voting Chairman of the Council."¹⁴ It was contended that the Director-General "would give added weight to Council decisions as representing the general interest of all the United Nations."¹⁵

In late 1943 the Informal Political Agenda Group was formed to do preparatory technical studies on a constitution for a postwar international organization. The Agenda Group was composed of senior advisers.¹⁶ It briefly reviewed the earlier Draft Constitution and the Staff Charter and produced its own proposal--the Outline Plan.

The Outline Plan was brief and, being principally concerned with what Russell and Muther term the "fundamental bases of the organization,"¹⁷ merely mentioned "the obvious points that there would have to be an appropriate administrative staff for the organization and that the administrative arrangements should be subject to the approval by the Assembly."¹⁸

14. Russell and Muther, op. cit., 372.

15. Ibid.

16. Ibid., 220.

17. Ibid., 372.

18. Ibid., 373.

During December 1942 the plan was submitted to President Roosevelt. He suggested that there should be provision made for a head of the entire organization. Russell and Muther state that it is not precisely clear from available records what President Roosevelt had in mind.

He appears to have been thinking of the possibility of an individual with the full prestige of the organization behind him who could, as Council chairman, exert great diplomatic influence in "moderating" differences especially between the great powers.¹⁹

A draft provision interpreting the President's views was drawn up by staff technicians. The draft provided for a head of the organization, later referred to as a president, and a chief administrative officer. It was proposed that the head of the United Nations, in line with President Roosevelt's wishes, should be a person of eminent attainment who should

preside over the Executive Council, and perform such duties of a general political character as may be entrusted to him by the Council or the General Assembly. As chairman of the Executive Council, he should be free to participate in its deliberations without vote on behalf of the general interests and purposes of the international organization.²⁰

He would also act as adviser to the "general committee or bureau" of the Assembly. There was no reference to a political function for the Director-General.

The draft provision, after slight revision, was adopted by the Agenda Group. However, this suggests more clear cut agreement among

19. Russell and Muther, op. cit., 373.

20. Ibid., 374.

the group than was actually the case. Throughout, there has been a confusion about the office of President itself, and especially about its relationship to the office of Director-General. "The details were agreed upon mainly because the Agenda Group was under instruction to provide for a president of the organization, unless and until Roosevelt changed his mind on the subject."²¹

According to Russell and Muther, at some point, although there appears to be no record of the decision, President Roosevelt abandoned the concept of a President of the United Nations for unestablished reasons.²² Reportedly because of more pressing questions, the position of Director-General was not reconsidered.²³

The United States Tentative Proposals for a General International Organization, the fourth plan to which reference was made above, and which was accepted at Dumbarton Oaks as the basis for discussion, therefore contained no reference to a political role for the Secretary-General. The draft read, in part, as follows:

"The Director-General should have the responsibility of the chief administrative officer of the organization . . . He should also provide for coordination, within the general policies appertaining to administration established by the general assembly, of the administrative procedures and regulations of the specialized agencies brought into relationship with the international organization. He should report to the general assembly on the work of all the organs and agencies of the organization and of the commissions, agencies, and other bodies of concern to the international organization."²⁴

21. Russell and Muther, op. cit., 376.

22. Ibid., 374.

23. Ibid., 377.

24. Quoted in ibid., 1005.

In light of the failure of the United States, under pressure of time, to reconsider the position of the Director-General, it is suggested that the Tentative Proposals may not have truly reflected the American thinking with respect to the role of the Secretary-General. As to the views of the other principal powers, there is no record of the attitude of China, the USSR, and the United Kingdom.²⁵

At the Dumbarton Oaks Conference it was, according to Russell and Muther, China and the United Kingdom who suggested a political role for the Secretary-General. They proposed that the Secretary-General should be authorized to bring before the Security Council any matter which he considered to be a threat to peace.

This . . . privilege had been proposed by both China and Great Britain, evidently as a result of widespread criticism of the League system, which had allowed only a member state to bring an alleged threat before the Council and thus had hampered its speedy convening to deal with a threat to peace.²⁶

This provision was agreed to by the United States and the USSR. Russell and Muther give no further indication of the views of the principal powers.

The British attitude, however, is further expressed in "A Commentary on the Dumbarton Oaks Proposals for the Establishment of a General International Organization." It contains the following reference to the explicit political role of the Secretary-General:

He . . . would have the right to bring before the Security Council any matter which, in his opinion, threatened inter-

25. It is of interest that Sir Winston Churchill in his multi-volume work on the Second World War does not mention the Secretary-General, for though he discusses the Dumbarton Oaks and San Francisco Conferences, his primary concern is with voting rights. See especially Winston S. Churchill, Triumph and Tragedy (Cambridge, U. K., 1953), 209, 363.

national peace and security This may at times be a very useful procedure when no Member of the Organization wishes to take the initiative.²⁷

This would appear to be a relatively narrow interpretation of the extent of the political role to be played, though the power conferred is a most important one.

As to the American views, it is claimed by some that President Roosevelt felt that the Secretary-General should play a political role.²⁸ This, of course, is provided for in the agreement reached at Dumbarton Oaks. The extent of the political role, as President Roosevelt saw it, is not explicitly stated. However, if President Roosevelt's thinking with respect to a President of the United Nations is borne in mind, it is possible that he might have considered the political role of the Secretary-General as extending beyond the bringing of threats to the peace to the attention of the Council, and to have included the functions of mediator and conciliator. S.M. Schwebel is even cited to the effect that there was a shaky rumor that President Roosevelt coveted the post of Secretary-General for himself.²⁹ The fact that such a rumor existed may indicate that President Roosevelt felt that the post should carry considerable

27. Great Britain, Parliamentary Papers: A Commentary on the Dumbarton Oaks Proposals for the Establishment of a General International Organization, Command Paper #6571, Misc. #6 (1944), 11.

28. Daniel S. Cheever and H. Field Haviland, Jr., Organizing for Peace (Boston, 1954), 362.

29. Stephen M. Schwebel, The Secretary-General of the United Nations (Cambridge, 1952), 18, cited in ibid.

political influence. However, it is to be noted once more that Russell and Muther, with the information at their disposal, make no mention of President Roosevelt's views at Dumbarton Oaks.

From the Dumbarton Oaks Conference emerged the following provisions with respect to the Secretary-General:

Chapter X -- The Secretariat

1. There should be a secretariat comprising the Secretary-General and such staff as may be required. The Secretary-General should be the chief administrative officer of the Organization. He should be elected by the General Assembly on the recommendation of the Security Council, for such term and under such conditions as are specified in the Charter.
2. The Secretary General should act in that capacity at all meetings of the General Assembly, of the Security Council, and of the Economic and Social Council, and should make an annual report to the General Assembly on the work of the Organization.
3. The Secretary-General should have the right to bring to the attention of the Security Council any matter which in his opinion may threaten international peace and security.³⁰

It is obvious from the above that the Dumbarton Oaks proposals were broadly framed, went further than the Covenant of the League and set out, as well as an administrative role, a political role for the Secretary-General. However, while the Big Four endorsed a political role for the Secretary-General, and that in itself is of considerable significance, the extent of this role is not clear. The question arises, and remains unanswered: was the Secretary-General to be primarily an administrator or a politician? It is clear that the

30. New Zealand, Department of External Affairs, United Nations Conference on International Organization (1945), 163 (hereafter cited as New Zealand, United Nations Conference on International Organization).

Dumbarton Oaks proposals call for a Secretary-General who is more than Drummond, but is he to be less than Thomas? Since the title Director-General had been replaced by that of Secretary-General, recalling the League under Drummond rather than the ILO under Thomas, it has been suggested that the emphasis was to be placed on the administrative role.³¹ Obviously, this can hardly be considered as conclusive evidence, and may be tending to the absurd.

The San Francisco Conference, which drew up the Charter of the United Nations, based its discussions on the Dumbarton Oaks proposals. These, as already mentioned, were originally sponsored by the United Kingdom, the United States, the USSR, and China. By the time of the San Francisco Conference France had also become a sponsoring power. The San Francisco Conference adopted the Dumbarton Oaks provisions with respect to the international character of the Secretariat. This is not to say that the role of the Secretary-General was not discussed. Indeed an attempt was made by some of the smaller powers to broaden the role of the Secretary-General.

The delegation of Venezuela proposed in committee that the Secretary-General might bring any matter which in his opinion may threaten international peace and security to the attention of "the Security Council, and/or the General Assembly."³² This was opposed by

31. See Cheever and Haviland, op. cit., 362.

32. United Nations, Documents of the United Nations Conference on International Organization, San Francisco, 1945, Vol. VII, Commission I, General Provisions (London, New York, 1945), 162 (hereafter cited as UNCIO Documents, Vol. VII.).

the sponsoring powers, and was rejected in committee by a vote of 18 to 11.³³

The delegation of Uruguay, supported by Egypt and Iran, proposed the following in committee:

"The Secretary-General may bring to the attention of the Security Council any matters which in his opinion may threaten international peace and security, as well as any matters which constitute an infringement or violation of the principles of the Charter."³⁴

This proposal was also opposed by the sponsoring powers. The delegate of the United Kingdom held that provision was already made for member states to bring violations to the attention of the Organization.

Canada supported the British view and added that the proposal of Uruguay would give the Secretary-General wider authority in this respect than that given to the members of the Organization.³⁵ The Uruguayan amendment was rejected in committee by a vote of 16 to 13.³⁶

The majority position with respect to the above proposals is set out in the report of the Secretary of State to the President of the United States on the San Francisco Conference. It reads, in part:

The first of these proposals was disapproved because the Secretary-General would have been placed in the embarrassing position of having to choose between the Security Council and

33. UNCIO Documents, Vol. VII, 168.

34. Ibid., 162.

35. Ibid., 163.

36. Ibid., 168.

the General Assembly. The second proposal was not favoured chiefly because it placed upon the Secretary-General a semi-judicial function which the conference thought inadvisable to confer upon him.³⁷

The committee went on to adopt unanimously the following provision: "The Secretary-General may bring to the attention of the Security Council any matter which in his opinion might threaten international peace and security."³⁸

Bearing in mind the above, it appears as though there was general acceptance of the conferring of certain political functions on the Secretary-General; there was a range of opinion with respect to the extent of the political role. At one end of the spectrum might be placed the views of New Zealand as expressed in the New Zealand White Paper on the San Francisco Conference, which, in referring to the Venezuelan and Uruguayan amendments, states:

The New Zealand representative opposed both these amendments on the ground that the Secretary-General was primarily an administrative officer, and that to impose upon him political responsibility (additional to the important new responsibilities conferred under Article 99) might, on balance, impair his usefulness.³⁹

37. United States, Department of State, Report to the President on the Results of the San Francisco Conference by the Chairman of the United States Delegation, The Secretary of State, Publication 2349 (June 26, 1945), 148 (hereafter cited as Report to the President on the Results of the San Francisco Conference.)

38. UNCIO Documents, Vol. VII, 168.

39. New Zealand, United Nations Conference on International Organization, 34.

This would seem to place a narrow interpretation on the political role of the Secretary-General, as did, it has been suggested, the British at the time of the Dumbarton Oaks proposals, and which, since there is no evidence to the contrary, the British may still have held.

The report to the President by the Secretary of State, referred to above, with respect to the power granted to the Secretary-General to bring to the attention of the Council any matter which in his opinion constituted a threat to international peace and security, stated that the: "granting of this power considerably modified the concept of the Secretary-General as primarily the chief administrative officer of the organization." 40

One is immediately struck by the difference in wording and emphasis between this and the New Zealand view. There would appear to be in the American attitude a more generous conception of the political role to be played by the Secretary-General. There is also the further extreme to which reference has already been made--the views of Venezuela and Uruguay, supported by a number of other smaller powers.

The majority of nations, including, and this is most significant, the sponsoring powers, felt that it was important that the Secretary-General should have been more than simply an administrator. What appears to have emerged from the San Francisco Conference was a Secretary-General with both an administrative and a political role, though with the proportion undefined.

40. Report to the President on the Results of the San Francisco Conference, 148.

The Charter, the product of San Francisco, refers to the Secretary-General in broad terms:

Article 97. The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98. The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99. The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100. 1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization.

Article 101. 1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

The above Articles which refer to the Secretary-General have not been quoted in their entirety, but their broadness should be evident. This broadness was intentional, providing for flexibility, change of emphasis and growth.

But it was also obvious at San Francisco that in order to have the United Nations Organization functioning, something more specific than the above was necessary, and so a Preparatory Commission was established, and charged to, inter alia:

"1. [Make] . . . provisional arrangements for the first sessions of the General Assembly, the Security Council . . . and . . . for the establishment of the Secretariat.

4. (f) Prepare recommendations concerning arrangements for the Secretariat of the Organization."⁴¹

Within these terms of reference, the Preparatory Commission set out the functions of the Secretary-General under the following headings:

1. general administrative and executive,
2. technical,
3. financial,
4. organization and administration of Secretariat,
5. political,
6. representational,⁴²

and the "lines between these are not rigidly drawn".⁴³

With respect to the political and representational functions, the report of the Preparatory Commission contained the following:

16. The Secretary-General may have an important role to play as a mediator and as an informal adviser of many governments, and will undoubtedly be called upon from time to time, in the exercise of his administrative duties, to take decisions which may justly be called political. Under Article 99 of the Charter, moreover, he has been given a quite special right which goes beyond any power previously accorded to the head of an international organization, viz: to bring to the attention of the Security Council any matter (not merely any dispute or situation) which, in his opinion, may threaten the maintenance of international peace and security. It is impossible to foresee how this Article will be applied; but the responsibility it confers upon the Secretary-General will require the exercise of the highest qualities of political judgment, tact and integrity.

17. The United Nations cannot prosper, nor can its aims be realized, without the active and steadfast support of the peoples of the world. The aims and activities of the General Assembly, the Security Council, the Economic and Social Council and the Trusteeship Council, will, no doubt, be represented before the

41. New Zealand, United Nations Conference on International Organization, 153-54.

42. United Nations, Document P. C./20, 86.

43. Leonard, op. cit., 100.

public by the Chairman of these organs. But the Secretary-General, more than anyone else, will stand for the United Nations as a whole. In the eyes of the world, no less than in the eyes of his staff, he must embody the principles and ideals of the Charter to which the Organization seeks to give effect.⁴⁴

The recommendations of the Preparatory Commission therefore elaborated on the political role of the Secretary-General, mentioned a mediating and advisory function, and added to the previous suggestions the representational function, though this was probably always implicit in the role of the Secretary-General. These recommendations were accepted by the United Nations. It is still not fully evident, however, what division of emphasis was to be placed on the administrative and political roles.

A further indication of the intent may perhaps be found in the circumstances of the appointment of the first Secretary-General. The United States' first choice for Secretary-General was Lester B. Pearson of Canada, then a permanent civil servant. The USSR's first choice was Stanoye Simic, a former Yugoslav cabinet minister and then Ambassador to Washington. The other persons suggested were Foreign Ministers Eelco van Kleffens of the Netherlands and Wincenty Rzymowski of Poland, and Henri Bonnet of France.⁴⁵ The circumstance of the Lie selection are described as follows:

Even in those relatively halcyon days it was, of course, impossible for the United States to agree to a Slav Secretary-General. The Soviet Union, while offering no objection to Mr.

44. United Nations, Document P.C./20, 86-87.

45. Trygve Lie, In the Cause of Peace (New York, 1954), 15-16.

Pearson, personally, refused to accept him on the ground that the headquarters of the U.N. was to be in the United States, and a North American Secretary-General would be too much.

This produced a deadlock which ended only when the United States proposed Mr. Lie, who as a Norwegian Socialist was not in either camp; and the Soviet Union immediately accepted him. . . . Great Britain and France then accepted him⁴⁶

It is possible to see here a concern on the part of each of the two principal powers, even before the cold war had developed, that the Secretary-General should not be a partisan of the other. This could be construed as a recognition of the political potentialities of the office of Secretary-General.

The first Secretary-General, Mr. Trygve Lie, unlike Sir Eric Drummond, but like Albert Thomas, was a politician. He had been a Norwegian labour leader and was, at the time of his appointment, the Foreign Minister of Norway. That a politician was acceptable for the office of Secretary-General, it being reasonable to suppose that a politician would tend to emphasize the political functions and have a certain public approach, could be interpreted as indicating that it was intended that the political and representational roles should be given considerable emphasis.

This certainly appears true. It was intended that the Secretary-General should be a more powerful official than was Sir Eric Drummond of the League, more than a top flight administrator. It is possible to argue, as it has been argued, that since at San Francisco, and

46. Thomas J. Hamilton, "The U.N. and Trygve Lie", Foreign Affairs, Vol. 29 (1950-51), 69. It should be noted that Mr. Lie indicates that the British seem to have displayed some reluctance in accepting him. He maintains that the reason for this was that he had annoyed permanent officials of the Foreign Office during World War II by going over their heads. Lie, op. cit. 21

before, some thought was specifically given to a political role for the Secretary-General, since he was given certain political power under Article 99, and since the Preparatory Commission referred to 'political functions' and since a politician was named as the first Secretary-General, it was intended that the Secretary-General should play "a vigorous political role in United Nations affairs."⁴⁷ The evidence cited in this chapter, however, does not lead to so emphatic a conclusion. It is still not clear how much emphasis it was intended should be given to the political versus the administrative role. Was Trygve Lie supposed to be 60% politician and 40% administrator, or what?

This much appears to be certain. The broadness of the articles referring to the Secretary-General indicates that a concentration on either the administrative or political roles was possible. Indeed, it has even been suggested that the nature of the office of the Secretary-General, and the emphasis brought to a particular role, can be determined in large measure by the personality of the Secretary-General himself and the degree of guidance forthcoming from the United Nations organs.⁴⁸

47. Leonard, op. cit., 242.

48. Francis O. Wilcox and Carl M. Marcy, Proposals for Changes in the United Nations (Menasha, Wisc., 1955), 418.

CHAPTER 2

MR. LIE'S ORIGINAL CONCEPTION OF HIS OFFICE

AND HIS POLITICAL ROLE DURING 1946

It has been mentioned how the emphasis which would be placed on the political role of the Secretary-General would depend to a considerable degree on the Secretary-General himself. It will be helpful, therefore, in the understanding of the evolution that has taken place in the political role of the Secretary-General, if it can be determined what Trygve Lie originally thought his role should be. The evidence tends to suggest that in the search for Mr. Lie's initial conception of his office the period from February 1946 to the end of the same year will have to be considered.

One place to look for Mr. Lie's views on his office would seem to be in his own writings. This has been attempted, but unfortunately there are none available for this early period.¹ A source which is available is Mr. Lie's book, In the Cause of Peace, which was first published in 1954. Autobiographies must, of course, be treated with some caution, but it is nevertheless important that Mr. Lie's views, as expressed in his book, should be outlined, and where possible checked against other sources.

1. Mr. Lie, during 1946, wrote a few articles, and not entirely for the 'learned journals'. Unfortunately, none of the publications in which these articles appeared are available at the University of Alberta. For a list of articles see: Readers' Guide to Periodical Literature, May 1945-April 1947 (New York, 1947), 1138-39.

Mr. Lie first tells us that:

Notwithstanding concern with the developing political situation on the world scene, most of my time in the hectic weeks in London following my election was occupied by the preliminary shaping of my views as to the role the Secretary-General should play, and with the first steps in the creation of the Secretariat. Both grave considerations of high principle and policy, and practical realities of a somewhat less elevated but very human kind, had to be taken into account.²

He goes on to comment on Article 99, the article which empowers the Secretary-General to bring to the attention of the Council any matter which may endanger peace. He says:

This Article confers upon the Secretary-General of the United Nations world political responsibilities which no individual, no representative of a single nation, ever had before. Furthermore from it derived further rights that were soon to be written into the rules of procedure of the Security Council, the General Assembly, the Economic and Social Council and the Trusteeship Council. The Secretary-General was to be empowered to propose items for the agenda of these organs and to take part in debates, rights that otherwise were reserved to governments and to representatives of Member States.³

He also mentions that the framers of the Charter saw the Secretariat to be a very important organ of the United Nations, so important that it is named in the Charter as one of the six "principal organs".

Mr. Lie stressed the unique position of the Secretary-General as the representative of the whole of the United Nations. He writes:

2. Trygve Lie, In the Cause of Peace (New York, 1954), 39.

3. Ibid., 39-40.

In the Assembly and the Councils the primary duty of these delegates was to represent their respective national interests in the work of the United Nations. But the Secretary-General and the Secretariat were responsible solely to the Organization as a whole--to the collectivity of the Member governments under the Charter.

This role, with all its potentialities and its pitfalls for the future, had to be weighed against the hard political realities of a world by no means ready yet to accept either the outlook or the responsibilities of world citizenship. Under the circumstances, how far should the Secretary-General seek to develop his independent political role? The question is still debated, and may well continue to be for a long time to come.⁴

Mr. Lie went on to point out the two extremes of the possible political role of the Secretary-General. At the one extreme,

some people say that the Secretary-General, who more than anyone else symbolizes the Organization as a whole, must be an outspoken public servant endeavouring to express the views of all peoples. He should not merely service United Nations meetings; he should seek to influence the course of the debates.⁵

They contended that

the Secretary-General of the United Nations should emerge as a bold leader of international thought and action, as a genuine international figure stimulating the Member States to rise above their nationalistic dispositions.⁶

On the other hand, some looked to Sir Eric Drummond as the ideal, the unobtrusive, primarily administrative public servant of whom most of the world never heard.

4. Lie, op. cit., 40.

5. Ibid., 40-41.

6. Ibid., 41.

Mr. Lie states that it was not the intention of the framers of the Charter that the Drummond concept of the Secretary-General should prevail.⁷ In this there seemed to be considerable logic, since, as previously outlined, a political role is definitely mentioned by the Preparatory Commission and is provided for explicitly in Article 99.

What Mr. Lie avows to be his views at the time are set out in the following quotation:

The role which the framers of the Charter of the United Nations envisaged for the Secretary-General fell between the two extremes. The Secretary-General unquestionably would be under an obligation to play a great political part; but, I felt, there were limits to the extent of his initiative--the limits of the Charter's text and, even more, the limits imposed by the realities of national and international political life. The Secretary-General might be the symbol of the Organization as a whole--the symbol, in other words, of the international spirit. This, and his strategic situation at the very center of international affairs as confidant of the world's statesmen and as spokesman to the world's peoples, attached significant influence to his position; but it was a moral power, not a physical one, and moral power in this world is not conclusive. The Secretary-General, it was said, should be more the general than the secretary--but where were his divisions? Thus I inclined, from the beginning, toward a middle way--a pragmatic and open-minded approach. I would listen to all my advisers and be directed by none. I had no calculated plan for developing the political powers of the office of Secretary-General, but I was determined that the Secretary-General should be a force for peace. How that force would be applied I would find out--in the light of developments.⁸

What appears to be most significant in the above? He claims he saw the Secretary-General as playing a "great political part", and

7. Lie, op. cit., 42.

8. Ibid.

as representing the world outlook; he was determined to be "a force for peace". But he would be limited in his actions by a sense of the possible. He had, at that time, no calculated plan for developing the political role of the Secretary-General's office.

The above would seem to be in keeping with the concept of the Lie personality as described by Time magazine in 1946.⁹ Mr. Lie had been a socialist since youth, which usually is associated with a certain desire to see the lot of man bettered, yet this was tempered with a pragmatic approach, a sense of the possible.

Mr. Lie seems to have placed emphasis at this early stage on the political role. His avowed conception of the Secretary-General as "a force for peace" agrees with statements made by Louis Dolivet in The United Nations, A Handbook on the New World Organization. This is significant because the handbook contains a preface written by Mr. Lie in June of 1946 in which he appears to endorse the conception of his role set out therein. Mr. Lie says: "This handbook . . . presents a highly interesting and understanding view of the Organization as it now exists and seems to me to capture the spirit of what we are doing and are going to do."¹⁰

The handbook, in a section entitled, "The Functions of the

9. See "Man With Guts", Time, February 11, 1946, 17; "Immigrant to What?", Time, November 25, 1946, 21. For a brief biography, see World Biography, Fifth Edition, (Bethpage, N.Y., 1954), 691.

10. Louis Dolivet, The United Nations, A Handbook on the New World Organization (New York, 1946), 7.

Secretary-General", contains reference to the administrative and political roles. The subsection devoted to the political role is interestingly titled: "The Secretary-General--Guardian of World Peace". Under this heading, in part, the following appears:

But the most important function of the Secretary-General is his right to bring to the attention of the Security Council any matter that may threaten the maintenance of international peace and security. The Secretary-General is therefore equal in this respect to any government of the UN or to the General Assembly as a whole. Through these functions he becomes the custodian of international peace and security. Whenever or wherever political, economic, or territorial difficulties appear which may threaten world peace, it is his right and duty to put the UN machinery in motion. There is as yet no precise interpretation of these powers of the Secretary-General. In the concept of the Charter he is meant to be not only an element of vigilance but one of inspiration to the United Nations as a whole. That is why he also has the right to put on the agenda of the Assembly any item he may consider to be important and to fall within the scope of the UN.¹¹

Dolivet goes on to say that these wide powers were conferred on the Secretary-General as the result of the twenty-five years of experience under the League of Nations. Under the League the element of cohesion that the Secretary-General is supposed to provide for the United Nations was missing. A confidential mediator and adviser of governments was needed.

The absence of such an element in the crisis of the '30's and the resulting weakness in the whole collective security machinery were not forgotten by the framers of the new organization. That is why the Secretary-General of the UN was made not only its chief administrative officer but one of its chief political factors as well.¹²

11. Dolivet, op. cit., 89.

12. Ibid., 90.

Mr. Lie's endorsement of the above appears to bear out the view that even at this early stage he saw himself, in the office of Secretary-General, as representing the broader outlook and the ideals of the United Nations Charter as a definite factor in the world political sphere.

Mr. Dolivet's words, however, do not confirm all that Mr. Lie has said. It seems wise, therefore, to see how the views that Mr. Lie maintains he held accord with his actions during 1946.

It is found that Mr. Lie "took advantage of an early occasion to assert his political authority."¹³ This first instance of political initiative by Mr. Lie took place in April of 1946, after he spent the first two and one half months in recruiting staff and in moving the United Nations to New York. It has been referred to as the "abortive intervention in the Iranian question."¹⁴

On March 18, 1946, Iran had drawn the attention of the Security Council to a dispute between herself and the USSR, a dispute which was likely to endanger international peace and security. Iran asserted that, contrary to a treaty, the USSR was maintaining troops on Iranian territory and interfering in Iranian internal affairs. While the dispute was still before the Security Council, however, Iran was to express satisfaction with Soviet measures to withdraw the troops and Iran withdrew her complaint. The members of the Security Council,

13. L. Larry Leonard, International Organization (New York, 1952), 243.

14. Thomas J. Hamilton, "The U.N. and Trygve Lie", Foreign Affairs, Vol. 29 (1950-51), 73.

other than the USSR, France and Poland, however, had no intention of removing the matter from the agenda, holding that the Security Council was master of its own agenda. The majority felt that the Soviet Union had pressured Iran into withdrawing the complaint.¹⁵

Mr. Lie explains his attitude towards this development as follows:

The United Nations, I felt, should aim to settle disputes, not inflame them. If both Iran and the U.S.S.R. agreed that their quarrel has been resolved, the Security Council should not indicate the contrary.¹⁶

He went on to say:

I felt that I could not permit such a precedent to be set--a precedent which might well carry great weight in the later life of our young organization--without at least setting forth what I, as Secretary-General, saw as the wiser course for the United Nations I saw the matter as one of law--of precedent--rather than of influencing the immediate treatment of the Soviet-Iranian request.¹⁷

Mr. Lie then submitted a legal memorandum to the Council. In part it read:

I feel it desirable to present to you my views with respect to the legal aspects of the question of the retention of the Iranian case on the agenda of the Security Council. The decision taken by the Council in this matter may well institute an important precedent for the future, and it seems to me advisable

15. See United Nations, Document A/65, 1-2.

16. Lie, op. cit., 80.

17. Ibid., 81.

to consider it most carefully, in order to avoid a precedent which may cause later difficulties.¹⁸

It should be noted at this point that the Rules of Procedure of the Security Council provided no specific authority for the Secretary-General to present legal memoranda.¹⁹ As legal justification of his action Mr. Lie, in his own book, cites Article 99. But it appears, from his own words, that he took steps to place his memorandum before the Council before it occurred to him to search for the authority to do so. Mr. Lie claims that before the meeting of the Council on April 16 he tried to give his memorandum to Mr. Quo Tai-Chi of China, the President of the Council, but Mr. Quo refused to accept it. He continues:

. . . on the way to my seat, I sent it to one of his aides. As I sat down a latent aspect of my intervention came to mind: the status of the Secretary-General. I believe that Article 99, which empowered him to bring the attention of the Security Council to any matter which in his opinion might threaten international peace and security, was more than enough authority for intervening in the proceedings of the Council in this fashion; in fact, I felt that it was the intent of the Charter that the Secretary-General should have not merely the right to submit legal opinions to the President, of which the latter would take notice, but that he should be able to address the Council on any question it might consider. Mr. Quo's attitude seemed to challenge this conception of the Secretary-General's authority. If the President did not acknowledge to the Council receipt of the memorandum, I decided, I would myself ask for the floor and read it into the record.²⁰

18. United Nations, Official Records, Security Council, First Year, First Series, 143.

19. See United Nations, Repertoire of the Practice of the Security Council, 1946-1951 (New York, 1954), 22.

20. Lie, op. cit., 83.

The President of the Security Council, however, read Mr. Lie's memorandum to the Council and suggested that it be referred to the Committee of Experts for an opinion on the views expressed. This was agreed to unanimously.²¹ In the afternoon of the same day, April 16, before a report had been received from the Committee of Experts, the President called for the Council to vote on the removal of the Iranian question from the agenda. Dr. Lange (Poland) and Mr. Bonnet (France) immediately rose on points of order. The President then asked the members of the Council whether they wished to proceed to the vote or await the report of the experts.²²

In the discussion Dr. Lange stated, in part:

I submit to the attention of this Council that the Secretary-General is an important official of the United Nations, invested by the Charter with special and important powers, and that we cannot vote now as if his opinion did not count or exist²³

The President then said that he was agreeable to awaiting the report of the Committee of Experts but hastened to point out that the Secretary-General was the chief administrative officer of the organization, and implied that the role of the Secretary-General did not encompass the action that Mr. Lie had taken.²⁴

21. United Nations, Official Records, Security Council, First Year, First Series, 145.

22. Ibid., 148-49.

23. Ibid., 150.

24. Ibid., 151.

Mr. Gromyko (USSR) spoke next, saying:

It is sufficient to recall one Article of the Charter to realize the heavy burden of responsibilities incumbent upon the Secretary-General. Article 99 states: "The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security." . . . Thus, the Secretary-General has all the more right, and even greater obligation, to make statements on various aspects of the questions considered by the Security Council.²⁵

There was to be no challenge in the Security Council to Mr. Gromyko's broad interpretation of the rights of the Secretary-General, and discussion of the Iranian question was adjourned to await the report of the Committee of Experts.²⁶ However, it is reported that though "Mr. Stettinius, the United States representative, said nothing at the meeting, . . . there is a plausible tradition that he gave Mr. Lie a dressing-down afterwards."²⁷ Mr. Lie confirms this and indicates the general reaction to his intervention in the following words:

At the time, 'my memorandum fell like a bombshell,' My intervention made headline news in the press of the world. Washington was irritated; after the meeting Mr. Stettinius and I met in the delegates lounge, and he complained about my position and my not having consulted him in advance.²⁸

25. United Nations, Official Records, Security Council, First Year, First Series, 151.

26. Ibid.

27. Hamilton, loc. cit., 73.

28. Lie, op. cit., 85.

Three meetings after Mr. Lie submitted his memorandum the Committee of Experts presented its report. The Committee had been unable to formulate a common opinion concerning the arguments advanced by the Secretary-General, and the report summarized the discussion that had taken place in Committee. The Council decided to remain seized of the Iranian question while the minority of France, Poland and the USSR maintained that the Iranian case should be removed from the agenda.²⁹

Mr. Lie's first attempt to publicly influence the deliberations of the Council failed. His Iranian intervention, though using the instrument of the legal memorandum, "was recognized for what it was, a political move that pleased the Soviet Union and others while it irritated the United States."³⁰ It appears as a bold move at an early stage in the life of the United Nations which resulted in a rather violent reaction. However, since the broad interpretation of the Secretary-General's powers expounded by Mr. Gromyko had not been challenged openly, and with the decision to await the report of the Committee of Experts, a precedent was established for future intervention before the Council by the Secretary-General. It would seem, however, that such action by the Secretary-General would have to be weighed against the reaction that it might produce. A reaction similar to the one in this case would hardly seem to assist any efforts by the Secretary-General to act as a mediator or conciliator.

29. United Nations, Official Records, Security Council, First Year, First Series, 213.

30. Daniel S. Cheever and H. Field Haviland, Jr., Organizing for Peace (Boston, 1954), 369.

It should also be noted that the support for a broad interpretation of Mr. Lie's powers came chiefly from the quarter which stood, in this case, to benefit by his intervention.

It will be recalled that there was no specific authority for the Secretary-General to present written or oral statements to the Security Council, though the Secretary-General had the important right of bringing threats of the peace to the attention of the Council. Mr. Lie claims that he then pressed for the revision of the Rules of Procedure of the Security Council so as to include the right of the Secretary-General to intervene in the proceedings of the Security Council. During his "campaign" some doubts were, for a time, to be expressed with respect to acceding to Mr. Lie's desire for revision.

At the time of Mr. Lie's new initiative, the Committee of Experts was redrafting the Council's rules. Mr. Lie explains his steps in the following fashion:

Mr. Sobolev, representing me, informed the committee that I was 'considerably embarrassed' at the lack of provision authorizing the Secretary-General to convey his opinion to the Council on matters under discussion. He proposed a rule similar to that which the Economic and Social Council had adopted, which would enable the Secretary-General to speak out upon the invitation of the President. Not that I wished to be limited in my intervention to invitations which the President might or might not choose to issue . . . [I] . . . felt it impolitic to press openly for a more extensive right in the Security Council.³¹

31. Lie, op. cit., 86-87.

He continues:

I had authorized my chief lieutenants for Security Council Affairs . . . to discuss privately with the Council delegations my belief that the Secretary-General should be empowered to intervene in the Council's proceedings at his own discretion. In the Committee of Experts the Australian, Soviet, and Polish representatives promptly took a stand in agreement with this view. Professor Boris Stein of the U.S.S.R. responded to Mr. Sobolev's limited formal request with the statement that it was "insufficient, since it gave the Secretary-General the right of intervention only upon the invitation of the President." The United States and China spoke out for a narrower interpretation of the Secretary-General's powers. Mr. Sobolev, amid a debate which ran on in this fashion for five meetings, kept quiet. The Australian Minister of External Affairs, Dr. Herbert Evatt, instructed his representative to maintain that the Secretary-General's right of intervention was "absolute and not limited." Acting on Washington's instructions, the delegate of the United States . . . expressed a contrary view--he was "not at all sure that the Charter can be construed as authorizing the Secretary-General to make comments on political and substantive matters." The British delegate at first suggested that the committee "let experience show how the powers of the Secretary-General should be put into practice." Later he shifted in favor of the Australian-Soviet view. I do not know what prompted the change in Britain's position, but it seems that that change altered the balance in the committee to favor the Secretary-General's unrestricted rights. Mr. Sobolev finally came forward with a new text, which the committee ended by unanimously adopting: "The Secretary-General, or his deputy acting on his behalf, may make either oral or written statements to the Security Council concerning any question under consideration by it."³²

. . . later revision of the rules of procedure of the General Assembly was influenced by the precedent set by the Security Council's subsequent decision to give the Secretary-General unrestricted rights.³³

32. This became Rule 22 of the Rules of Procedure of the Security Council. See United Nations, Répertoire of the Practice of the Security Council 1946-51 (New York, 1954), 23.

33. Lie, op. cit., 87-88.

Unlike the Iranian intervention, it is not possible to document Mr. Lie's actions in having the Rules of Procedure revised, nor the opposition he encountered. The Official Records only contain the unanimous report of the Committee of Experts recommending revision³⁴ and the adoption, without comment, of the report by the Security Council.³⁵ However, there seems to be some evidence that it was common knowledge that Mr. Lie attempted to secure revision of the rules, for Time of November 25, 1946 refers to such action.³⁶ It does seem clear, though, that these steps, the Iranian intervention and the revision of the Rules of Procedure, helped form a basis for future political action by the Secretary-General.

It will be recalled³⁷ that the Secretary-General under Article 98 of the Charter is required to make an annual report to the General Assembly. In the first Annual Report of the Secretary-General on the Work of the Organization, dated June 30, 1946, Mr. Lie did not confine himself to simply reviewing the activities of the United Nations. In the Introduction, he expressed his views with respect to the role of

34. United Nations, Official Records, Security Council, First Part, First Session, Supplement #2, 39.

35. United Nations, Official Records, Security Council, First Part, First Session, 311.

36. "Immigrant to What?", Time, November 25, 1946, 21.

37. See Chapter One above.

the Organization. He recalled that the Preparatory Commission had hoped that the United Nations might early capture the imagination of the world, and pointed out that the United Nations had not been completely successful in this. He mentioned the importance of the education of public opinion. Most important seem to be his remarks with respect to the veto. He states:

The fact that the Charter gave the right of veto to each of these permanent Members imposes upon them an obligation to seek agreement among themselves. Many of the issues which come before the Security Council have arisen from inability to reach such agreement

I should be failing in my duty, in presenting this report, if I did not emphasize the absolute necessity that the Powers should seek agreement among themselves, in a spirit of mutual understanding and a will to compromise, and not abandon their efforts until such agreement has been reached.³⁸

He asks:

Has not the lively desire of all people and governments to establish the authority of the United Nations, and to combine their efforts in achieving the victories of peace, sometimes been impeded by a lack of mutual trust among the Members of the Organization?³⁹

He concludes with the following appeal, and what is also a justification for saying what he does:

As the Preparatory Commission foresaw, the Secretary-General in certain circumstances must speak for the Organization as a whole. It is with a deep sense of responsibility

38. United Nations, Document A/65, vi.

39. Ibid.

that I appeal to the Members of the United Nations, and more especially to those Powers which have special rights and obligations under the Charter, to ponder the dangers to which I have called attention and to exert every effort to overcome them. There is much that the Secretariat can do, and given the approval and co-operation of the Members and the voting of the necessary credits, it will not fail. But upon the Members of the Organization lies the ultimate responsibility; upon them it ultimately depends whether the United Nations fulfills the hope that is placed in it.⁴⁰

Mr. Lie had, therefore, begun to use the introduction to his annual report as a political instrument to influence the United Nations.

It will be recalled that as a result of the Secretary-General's initiative in the Iranian case and his pressing for the subsequent revision of the Rules of Procedure, he had the right to speak before the Assembly and the Council. Near the end of August of 1946, in the course of the discussion in the Security Council of the report of the Committee on the Admission of New Members, the Secretary-General was to speak in support of the resolution of the United States and Mexico that all the applicant states be admitted, and also to support the concept of universality of membership.⁴¹ This was an attempt to influence directly the voting of the representatives. The USSR, however, was opposed to a number of the candidate states. As a result, the "draft resolutions were withdrawn when it became

40. United Nations, Document A/65, vi.

41. United Nations, Document A/315, 15.

clear they would not be accepted."⁴² There is in this case no evidence in the Official Records of any strong reaction to the Secretary-General's intervention. There is no indication of the behind-the-scenes reaction.

During the discussion in September, 1946, of the Ukrainian complaint that British troops in Greece and the direct intervention of British military representatives in the internal affairs of Greece constituted a threat to the peace, the Secretary-General again spoke before the Council. The United States had just proposed that a commission of three be sent to investigate border incidents along the Greek frontier. The Secretary-General made the following statement:

"If the proposal of the United States representative should not be carried, I hope that the Council will understand that the Secretary-General must reserve his right to make such inquiries or investigations as he may think necessary in order to determine whether he should consider bringing any aspect of this matter to the attention of the Council under the provisions of the Charter or not."⁴³

Though the resolution of the United States was defeated, the Official Records do not indicate that the Secretary-General's action was publicly challenged. A precedent may thereby have been established that the Secretary-General had the right to make investigations, presumably under Article 99.

42. United Nations, Document A/315, 15.

43. Ibid., 5.

From the actions of Mr. Lie during 1946 there would appear to be little doubt that he attached considerable importance to the political role, for at this early stage, at a time when it might be expected that he would be faced with considerable organizational problems, there are a number of instances of political activity by him. It is, of course, impossible to confirm that he had no plan for developing his political role. It might be suggested that his early Iranian intervention, with the considerable reaction that it produced, would have indicated that he thought at the outset that he would be able to pursue, even at this early stage, a political role with some forcefulness. Mr. Lie's own words, in his autobiography, in reference to his efforts to secure the revision of the rules of procedure, may reflect the realization that he attempted initially to go ahead too fast. He states:

I can understand the hesitancy of the governments in the early months in giving to the Secretary-General these broad powers of intervention in the United Nations debates, even though they were implied by Article 99. As I have pointed out before, the political role of the Secretary-General of the United Nations is something new to the world. The concept of the spokesman for the world interest is in many ways far ahead of our times, when nationalism is stronger than ever and national sovereignty still the ruling force. It is for such reasons that I later used these powers with caution, because to have attempted to go too far, too fast, might have lost everything. I believe that the influence of the office of the Secretary-General must be developed slowly and steadily over the years. But I am glad that these rights were secured at an early stage in the Organization's history when the fluid state of procedure lent itself to my initiative.⁴⁴

⁴⁴. Lie, op. cit., 88.

It may be suggested, therefore, that the views of Mr. Lie set out in this chapter more accurately reflect his attitude after the Iranian intervention; that very early in his career he may have thought that he could progress more rapidly than he here indicates.

There seems to be, however, to repeat, little doubt that the Secretary-General from the outset attached considerable importance to the political role, and that during 1946 he established certain precedents upon which he might later build.

CHAPTER 3

MR. LIE'S POLITICAL ROLE 1947-1950

It has been pointed out that Mr. Lie considered the political role of the Secretary-General to be a most important one, and that he felt the Secretary-General should represent the collectivity of nations and be a force for peace. It was also pointed out that Mr. Lie felt that the political role of the Secretary-General would have to be developed gradually, though it was suggested that he may have come to this conclusion in the light of his experience in the Iranian case and in having the Rules of Procedure of the Security Council revised.¹ The purpose of this chapter is to cover sketchily the political role played by the Secretary-General from the beginning of 1947 until the end of the initial action in Korea in 1950, and to see whether his initiative was sustained at the same level throughout, or fluctuated over time.

The first instance of political initiative is connected with the Trieste question. The Chairman of the Council of Foreign Ministers, in a letter dated 12 December, 1946, requested that the Security Council consider those parts of the draft peace treaty which involved the United Nations assuming certain responsibilities with respect to Trieste. The matter came before the Council early in January. "Several representatives questioned whether the Security Council had

1. See Chapter Two above.

the power under the Charter to accept the responsibilities devolving upon it under the Treaty."² The Secretary-General then made a statement in the form of a legal opinion on the constitutional issues raised. Mr. Lie suggested that the Council had a power to maintain peace and security conferred upon it by Article 24³, which was sufficiently wide that it covered the responsibilities arising out of the agreements relating to Trieste. He referred to the discussion in a committee meeting at San Francisco respecting an amendment to limit the binding effect of Council decisions to decisions taken under specific powers. It was held at San Francisco that the only limitations were the fundamental principles and purposes found in Chapter I of the Charter.⁴ This opinion of the Secretary-General was accepted by all except the Australian representative. It is noteworthy that the Secretary-General did not wait to be asked to submit a legal opinion, but acted on his own initiative.⁵

2. United Nations, Document A/315, 9.

3. Article 24 reads in part:

"1. In order to ensure prompt and effective action by the United Nations, its members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations"

4. United Nations, Official Records, Security Council, Second Year, 91 Meeting, 44-45.

5. For a discussion of Mr. Lie's use of legal memoranda up to 1948, see Oscar A. Schachter, "The Development of International Law Through the Legal Opinions of the United Nations Secretariat," British Year Book of International Law, Vol. XXV (1948), 91-132.

On June 11, 1947 Mr. Lie delivered a speech to the United Nations Society in Winnipeg, Manitoba, in which he reviewed the political and economic and social efforts of the United Nations. In speaking of the political problems Mr. Lie referred to the world as living in the aftermath of the war. The peace treaties, which were not the responsibility of the United Nations but of the principal powers, remained unsigned. The differences among the principal powers, that had prevented the completion of the peace treaties, were also evident in the United Nations, and this had led to discouragement and confusion in the public mind. Mr. Lie maintained that the people must be realistic about this. He cautioned that new and old disputes should be regarded coolly for no one was thinking of war: the aggressors were in ruin and the victors were engaged in the tremendous task of reconstruction. He went on to refer to the importance of the economic and social work of the United Nations in eliminating the seeds of war that "grow and flourish only when planted in the soil of human misery."⁶

It would appear that in this speech Mr. Lie was addressing himself both to the peoples of the United Nations generally and to a specific group, the principal powers. He appears to have been attempting to dispell what he felt to be disillusionment toward the United Nations, and telling the principal powers to get on with the job.

6. "The Mission of the United Nations," United Nations Weekly Bulletin, Vol. 2, No. 24 (June 24, 1947), 636-688,695.

Reference was made in Chapter Two to the Secretary-General's Introduction to the Annual Report for 1946. It will become obvious in the course of this chapter that the Introduction was to develop some significance as a vehicle in Mr. Lie's attempts to influence the United Nations. The Introduction to the Annual Report, dated July 4, 1947, however, is only two pages long. In it he refers to a disturbing tendency to make decisions on general principles of considerable importance only to be followed by delays in their implementation because of "the unwillingness of governments to take the necessary steps, or by their inability to agree on practical measures for execution."⁷ He wrote of the importance of the negotiation of the peace treaties and stressed that they were a prerequisite to a reconstructed world order. He maintained that if it were borne in mind that "no responsible statesman in any country can, or does, contemplate the prospect of war,"⁸ a hopeful but also realistic standpoint, then there would be a better chance of resolving the basic problems. He went on to reaffirm his faith in the United Nations. This Introduction is a medium of political influence bearing much the same theme as the Winnipeg Speech. It is couched in general terms, not offering solutions to specific disputes.

7. United Nations, Document A/315, vii.

8. Ibid., viii.

On September 10 in Boston,⁹ and on September 23 at the close of the General Debate in the Assembly, Mr. Lie delivered speeches that are almost identical in theme. Specific reference, therefore, will be made to the latter of these speeches. It should also be noted that these speeches appear to extend and elaborate on a theme first begun at Winnipeg in June.

In the Assembly Mr. Lie supported once more the concept of universality of membership and called for the admission of all the states then applying for membership. He appealed to the members, and particularly the Great Powers, to return to the spirit of co-operation that led to the creation of the United Nations. He said, in part:

The peoples of the world, and many governments as well, are shocked, frightened, and discouraged to find that those same nations which created the United Nations are so openly unable to agree.

I wish to state my emphatic opinion that this situation, no matter how strong the political difference may be, does not constitute a threat to the existence of the United Nations.

It does, however, hamper the activities of the United Nations and its ability to perform duties laid down for it in the Charter. It cannot fail to hinder the United Nations promoting peaceful relations, economic co-operation and social justice.¹⁰

9. See "For Permanent Peace, Common Welfare," United Nations Weekly Bulletin, Vol. III, No. 12 (September 16, 1947), 366-67.

10. United Nations, Official Records, General Assembly, Second Session, Plenary Meetings, 269.

He referred to the political differences and political suspicion that existed and continued:

We must work constantly to moderate these differences and to alleviate these suspicions. They must not be allowed to split the world into blocs and to form tight groups of nations which stand, one against the others within the United Nations itself.

I can only express the hope that the nations will find a way to return to the spirit of the Preamble of the San Francisco Charter: "To practice tolerance and live together in peace with one another as good neighbours."¹¹

Mr. Lie appears to have been directing his remarks to the United Nations as a whole, and to the peoples of the world.

The year 1947 saw the Secretary-General moving away from making presentations to the Security Council. He turned to public addresses outside the United Nations and, aside from presenting the Introduction to the Annual Report, spoke on one occasion in late 1947 to the Assembly. In these speeches he seems to have tried, to a certain degree, to restore the waning faith of the people in the United Nations, and to have called particularly for a closing of the rift that was developing between East and West. A reading of these speeches indicates that those presented in the latter part of 1947 were the most forceful. Mr. Lie does not appear to have attempted to any extent to influence the solution of specific problems.

11. United Nations, Official Records, General Assembly, Second Session, Plenary Meetings, 272. For full text, see ibid., 267-272.

It seems appropriate at this point to note Dr. Herbert Evatt's words with respect to the Secretary-General's use, during the period since the Iranian intervention, of the right to make oral and written statements to the Council and Assembly.

. . . the Secretary-General and his staff have not yet fully availed themselves of this valuable opportunity of guiding the work of the United Nations. This may be due to some extent to the particular circumstances of an intervention in the Security Council which the Secretary-General made in the Iranian case, when the views he expressed did not coincide with the opinion of the majority of the members of the Council. I think, however, it would be unfortunate if this experience discouraged the Secretary-General from taking a bold part in the work of the Organization on appropriate occasions. I think all the members of the Organization should encourage him to take more initiative and even when they disagree with any particular views he expresses or actions he takes, they should make it clear that judicious intervention by him or his deputy is both proper and welcome.¹²

Dr. Evatt's words add support to the view previously expressed that the reaction of the powers to the Iranian intervention may have had a restraining effect on the Secretary-General.¹³ Though Dr. Evatt does not say so, the evidence suggests that the general lack of success of Mr. Lie's additional presentations to the Council after the Iranian intervention led Mr. Lie to turn away from the Council

12. Herbert Vere Evatt, The United Nations (Cambridge, Mass., 1948), 139.

13. See Chapter Two above.

almost completely during 1947.

On November 29, 1947, the General Assembly, as a result of the United Kingdom's desire to quit Palestine, adopted a partition plan. Other provisions of the Assembly's resolution included:

"the establishment of a United Nations Commission to assume administrative authority from the United Kingdom not later than August 1, 1948, and to assist in creating the governments; a request that the Security Council take measures to meet any threat to the peace such as an attempt to alter the partition plan by force; responsibility assigned to the Economic and Social Council to assist in effecting economic union; and responsibility assigned to the Trusteeship Council for the administration of Jerusalem." ¹⁴

The Palestine Commission was to have its first meeting on January 9, 1948. The resolution was supported by the United States, France and the USSR, while the United Kingdom and China abstained. The Arab bloc did not support the partition plan. It should be noted that the United Kingdom announced that she was withdrawing from Palestine by May 15, 1948, and that she would only assist in implementing a solution that was satisfactory to the Jews and Arabs. ¹⁵

Mr. Lie states that with the disorders in Palestine mounting during the first week of December, 1947, he "quietly set in motion Secretariat studies of the possibilities of creating an international police force, and undertook exploratory conversations with various

14. Daniel S. Cheever and H. Field Haviland, Jr., Organizing for Peace (Boston, 1954), 442.

15. See "Plan of Partition with Economic Union," Yearbook of the United Nations 1948 (New York, 1949), 248-256. See also, "First Reactions to Palestine Partition Proposals," United Nations Weekly Bulletin, Vol. III. No. 14 (September 30, 1947), 427-28.

Member governments."¹⁶ Mr. Lie claims that during the first meeting of the Palestine Commission he publicly prodded the Security Council because he was afraid it would not act to implement the Assembly's partition plan. He said to the Commission:

"You are entitled . . . to be confident that in the event it should prove necessary, the Security Council will assume its full measure of responsibility for the implementation of the Assembly's resolution."¹⁷

It has been suggested that in this instance Mr. Lie made

his first large scale and, as matters turned out, perhaps unwise effort to influence a political problem . . . the powers that had the power to 'implement' hung back. The United States and Britain were doubtful of both the legal and political aspects of Lie's assertion.¹⁸

That the Palestine Commission was not entirely confident that the Security Council was competent to act, despite Mr. Lie's remarks to them at that first meeting, is indicated by the fact that by the thirteenth meeting of the Commission the members were to request a formal opinion from the Secretary-General of the powers of the Security Council to assume the responsibilities assigned to it by the General Assembly. In his opinion Mr. Lie harkened back to his Trieste memorandum, which had been accepted by the Security Council,

16. Trygve Lie, In the Cause of Peace (New York, 1954), 163-64.

17. Ibid., 164.

18. Cheever and Haviland, op. cit., 369.

and by which the Council had

"recognized the principle that it has sufficient power, under the terms of Article 24 of the Charter, to assume new responsibilities, on condition they relate directly or even indirectly to the maintenance of international peace and security, and than in discharging these duties, the Security Council acts in accordance with the purposes and principles of the United Nations."¹⁹

Mr. Lie informs us that the Commission and he began to concentrate on the sending of an international force to Palestine to prevent bloodshed when the mandate expired. A statement stressing the need for United Nations forces was drafted by Dr. Ralph Bunche, at the Secretary-General's request, to be held in readiness for presentation to the Security Council. But Mr. Lie says:

Drafting such a proposal was one step; the other, and the hazardous one, was presenting it to the Security Council. I postponed the second step until it was possible to sense better the trend of the Council's discussion and action: it would be futile to speak only for the record, even if I were quite prepared to act granted a substantial possibility that the Council would follow.²⁰

He claims that he had discussions with the representatives of, in particular, the United Kingdom, the United States and the USSR and that only the USSR seemed intent on implementing partition.²¹

19. United Nations, Document A/AC 21/13, quoted in Schacter, loc. cit., 100.

20. Lie, op. cit., 166.

21 Ibid., 169.

It is reported that: "Early in the Palestine situation the Secretary-General appealed directly to the British in private negotiations to aid in implementing the partition settlement."²²

The Security Council, however, the USSR and the Ukrainian SSR not concurring, was to decide that it lacked constitutional authority to enforce the partition of Palestine, and that it could only act to remove a threat to the peace. The United States, though it was later to reverse its stand, was to move against the partition and hold that "a temporary UN trusteeship should be appointed to maintain peace when Britain withdrew."²³ Mr. Lie claims that in protest, and in order to influence events, he saw Warren Austin, the United States representative in the Security Council, and proposed that both of them resign. Mr. Austin advised against resignation. Mr. Lie claims that he also went to see Mr. Gromyko, the representative of the USSR, and told him that he (Lie) should resign in protest at the American shift in position. Mr. Gromyko also advised against resignation. As a result of these consultations Mr. Lie indicates that he was persuaded that little would be accomplished by resignation.²⁴ On April 1, 1948, the USSR and the Ukrainian SSR not concurring, the Security Council requested a special session of the General Assembly to reconsider the question

22. L. Larry Leonard, International Organization (New York, 1951), 246.

23. United Nations, Official Records, Security Council, Third Year, 271 Meeting, 167.

24. Lie, op. cit., 171.

of Palestine.²⁵

Mr. Lie maintains that he was concerned with what would happen in the event of invasion of Palestine by Egypt, Jordan, and other members of the Arab League. He had the Legal Department prepare a memorandum which "unqualifiedly affirmed" that the Secretary-General was entitled to bring the Palestine question to the attention of the Council under Article 99. He claims that he also had the Department draft a letter to the President of the Council drawing the Council's attention to the Palestine situation under Article 99. He states that he held the letter in readiness.

But first he . . . resolved to see if the United States would take action. If the United States, which would have to lead in any move by the Security Council to halt aggression in Palestine, was equally prepared to bring the question to the Council's attention in the appropriate terms and with appropriate forcefulness, then it would be wiser to let it have the public initiative.²⁶

On May 14, the day before the expiration of the mandate, the Assembly approved the naming of a mediator for Palestine.²⁷ On May 15 the Jewish authorities proclaimed the existence of the state of Israel and the United States again reversed its position by granting de facto recognition to Israel. The invasion of Palestine by Arab forces also

25. United Nations, Official Records, Security Council, Third Year, 277 Meeting, 35.

26. Lie, op. cit., 174.

27. United Nations, Document A/565, 8.

began. On this same day, at the request of the President, the Council was convened to consider a communication from the Jewish Agency for Palestine calling for Council action regarding aggression by Jordan and a cable from Egypt indicating that Egyptian forces had moved into Palestine to maintain order. A general discussion took place in the Council but no action was taken.²⁸

Mr. Lie indicates that the next day, May 16, he wrote identical letters to the permanent members of the Security Council, urging "a decisive stand in support of the authority of the Charter of the United Nations." He continues:

I most earnestly urge that your government should take account of the extreme seriousness of the situation which now faces the United Nations and of the necessity for prompt action at this crucial moment.²⁹

He also sent two of his deputies, Jackson and Cordier, to London and Washington respectively to urge his case. Commander Jackson's subsequent report to the Secretary-General indicates that Foreign Secretary Bevin and some of the senior officials of the Foreign Office did not appreciate the responsibilities of, or the action taken by, the Secretary-General in the Palestine case.³⁰

28. United Nations, Official Records, Security Council, Third Year, 292 Meeting, especially 1-3.

29. Lie, op. cit., 179.

30. Ibid., 183-185.

On May 17 the United States proposed that the situation in Palestine should be declared a threat to peace (Article 39) and a cease-fire immediately ordered.³¹ On May 22 the United States' resolution was defeated by a vote of 5 to 0 with 6 abstentions (Argentina, Belgium, Canada, China, Syria and the United Kingdom), and a cease-fire resolution alone was adopted. The British opposed the invoking of Article 39 for it could involve the use of force which most of the Council members did not appear ready to use.³² Mr. Lie's efforts seem largely to have ended at this point.

It is difficult to say whether Mr. Lie's efforts, as he outlines them, had any effect. It is maintained by some, however, that "Lie's influence in the selection of Count Bernadotte as United Nations Mediator and his support of the Count and his successor, Dr. Ralph Bunche, were crucial in finally putting a stop to the bloodshed."³³

The public actions claimed by the Secretary-General with respect to the Palestine question can be substantiated in the Official Records, but there is mainly Mr. Lie's word for the motives, informal discussions and proposed letters to which he refers. It seems apparent, however, that in Palestine his efforts were sustained over a period of at least six months, and he prodded the Security Council, the United States and the United Kingdom to act. From the evidence, it

31. United Nations, Official Records, Security Council, Third Year, 293 Meeting, 2.

32. United Nations, Official Records, Third Year, 301 and 302 Meetings, 54, 59.

33. Cheever and Haviland, op. cit., 370.

would appear that only the United Kingdom, of the principal powers, questioned the role played by the Secretary-General.

Largely as a result of the Palestine experience, Mr. Lie "boldly urged the establishment of a United Nations Guard."³⁴ He first broached the matter publicly in an address to the Harvard Alumni Association on June 10, 1948. In this speech he maintained that despite the Great Power conflict, there were "possibilities of developing the power and influence of the United Nations as it now exists."³⁵ He stated that there was no doubt that the Security Council must have a force to back up its decisions and pointed out that the Great Powers, too, were agreed on that in principle. He continued:

It is possible that a beginning could be made now through the establishment of a comparatively small guard force, as distinct from a striking force. Such a force could be recruited by the Secretary-General and placed at the disposal of the Security Council. Such a force would have been extremely valuable to us in the past and it would be very valuable in the future.

Even a small United Nations force would command respect for it would have the authority of the United Nations behind it.

I hope that some preliminary action along this line can be taken very soon, pending settlement by the Great Powers over the final form of the Military Agreements they will make with the Security Council.³⁶

34. Cheever and Haviland, op. cit., 373.

35. "Call for United Nations Force," United Nations Bulletin, Vol. 4, No. 12 (June 15, 1948), 472.

36. Ibid.

In his book Mr. Lie tells us that he originally sounded out the powers on a five to ten thousand man force, but later was to modify this figure downward.³⁷ In fact before its adoption "the project went through several revisions and received lengthy consideration by the General Assembly."³⁸ Mr. Lie's first official statement to the United Nations came in the Annual Report for 1947-48, where, under the heading "Proposals for Further Strengthening of the United Nations", he referred to having suggestions for a "small United Nations Guard Force" under study. "It would not be a striking force, but purely a guard force." He continued:

There are many uses for such a force. If it had existed during the past year it would, I believe, have greatly increased the effectiveness of the work of the Security Council, and have saved many lives, particularly in Indonesia and Palestine. It should not be a large force--from one thousand to five thousand men would be sufficient--because it would have behind it the authority of the United Nations.³⁹

Mr. Lie then took the initiative and placed the proposal for a United Nations force on the agenda of the Third Session of the General Assembly.⁴⁰

In his report to the Assembly Mr. Lie pointed out that the

37. Lie, op. cit., 192.

38. Leonard, op. cit., 247.

39. United Nations, Document A/565, xviii.

40. United Nations, Official Records, General Assembly, Third Session, Plenary Meetings, Item 68.

operation of United Nations missions in the field, under decisions of the Assembly and the Council "had decisively emphasized the need for adequate observation, protection and technical service personnel to be provided promptly in their support".⁴¹ He stated that the need could be met by a comparatively small United Nations Guard "able to offer the necessary minimum protective services as well as limited technical services in support of the functions and authority of the United Nations missions".⁴² Though the guard, he maintained, might eventually number several thousand, to meet the immediate need he proposed a guard of eight hundred men consisting of a permanent force of three hundred men at United Nations Headquarters or in Europe and a volunteer reserve cadre of five hundred men held in reserve in their own countries at the call of the Secretary-General. The report was referred to the First Committee, and later re-allocated to the Ad Hoc Political Committee. It was not to be discussed until April 7, 1949.⁴³

The year 1948, as noted, appears to have marked a shift in the Secretary-General's activities to a more positive political role. Reference has previously been made to the Secretary-General's Annual Reports. The Introduction to the 1947-48 report was expanded over the previous introductions and changed in form. In it Mr. Lie

41. United Nations, Document A/930, 44.

42. Ibid., 44-45.

43. Ibid.

referred to the United Nations as "the chief force that holds the world together against all the conflicting strains and stresses that are pulling it apart."⁴⁴ Prompted by the Rio de Janeiro and Bogota Conferences of that year, he made the following statement:

Regional arrangements can never be a substitute for world organization, but if they are kept carefully within the framework of the United Nations, and subordinate to it, as the Charter provides, they can play a most important role in the gradual strengthening of the structure of peace.⁴⁵

Mr. Lie now began, in the Introduction, to review the major disputes before the United Nations. He referred to Palestine, Indonesia, Kashmir, Greece, and Korea. He instituted a new section entitled "Proposals for Further Strengthening of the United Nations". In this new section Mr. Lie called for

a resumption of the negotiations between the United States of America, the United Kingdom, the Union of Soviet Socialist Republics and France on the future of Germany. Nothing could contribute more to the effectiveness of the United Nations than a settlement of this problem.⁴⁶

He continued: "I would also urge upon the Members fuller use of the existing powers of the Security Council for the settlement of international disputes and for the preservation of peace".⁴⁷

44. United Nations, Document A/565, ix.

45. Ibid., x.

46. Ibid., xvii.

47. Ibid.

He called on the Great Powers to make

renewed efforts to break the deadlocks which have blocked all progress in the Military Staff Committee during the past year, although I realize that the political differences between the Powers are the real cause of delay.⁴⁸

Finally, as referred to above, he called for the creation of a small United Nations Guard Force. This Introduction appears to be a considerable development over its predecessors and a definite political instrument for influencing the United Nations.

From the Palestine crisis the world, still in 1948, shifted into the Berlin blockade which was to last until May of 1949. An attempt was made by Dr. Bramuglia of Argentina, the President of the Security Council, as the head of the neutrals on the Security Council, to have the blockade lifted. The neutrals proposed a resolution calling on the four powers to lift the blockade, but on October 25, 1948, it was vetoed by the USSR.⁴⁹

After the failure of the initial efforts of the neutrals, Mr. Lie appears to have stepped actively into the picture. He claims that he had not acted until this time so that he might be uncompromised by the Bramuglia efforts if they should fail.⁵⁰ Mr. Lie also states that Messrs. Jessup and Rush of the United States asked,

48. United Nations, Document A/565, xvii.

49. United Nations, Official Records, Security Council, Third Year, 372 Meeting, 6-9.

50. Lie, op. cit., 203-213.

after the Soviet veto, if he would do what he could to end the impasse.⁵¹ Mr. Lie says he used his deputies, Sobolev and Feller, as intermediaries in dealing with the Russians and Americans respectively. He also claims that he personally had meetings with Messrs. Jessup, Vyshinsky (USSR) and Cadogan (United Kingdom).⁵² He refers to the British attitude that initiative should be exercised by Dr. Bramuglia and the neutrals rather than by the Secretary-General. In fact the attitude of the British Foreign Office is referred to as that of "traditional coolness toward any independent United Nations initiative."⁵³ If what Mr. Lie says is correct, then it would appear, at least in this case, that the United States was more willing to see the Secretary-General play a political role than was the United Kingdom. However it is not possible to verify the above. The only documented action to this point appears to be the veto in the Security Council.

On November 3, 1948 the General Assembly unanimously adopted a resolution entitled "Appeal to the Great Powers to Renew Efforts to Compose Differences and Establish Lasting Peace".⁵⁴ The title adequately summarizes its content. Dr. Evatt, then President of the General Assembly, and Mr. Lie, on November 13, joined in a letter to

51. Lie, op. cit., 203-213.

52. Ibid., 203 ff.

53. Ibid., 211.

Mr. Lie also refers to Sir Alexander Cadogan, the permanent representative of the United Kingdom to the United Nations, as representing "a school holding that the Secretary-General should take a less active part in the political work of the United Nations than I have done. For him Sir Eric Drummond as Secretary-General approached the ideal." Ibid., 258.

54. United Nations, Official Records, General Assembly, Third Session, Plenary Meetings, 373.

the heads of the governments of the Great Powers that signed the Moscow Agreements of December 24, 1945,⁵⁵ and drew the Assembly's resolution directly to their attention. To quote the Annual Report for 1948-49:

. . . the President of the General Assembly and the Secretary-General drew attention to the . . . resolution . . . and to the fact that the representatives of all the Powers signatories to the Moscow Agreements had spoken in unqualified support of the resolution and had voted for it. As a first step toward carrying out the resolution without delay, they believed the Berlin Question had to be solved. They urged . . . the desirability of immediate conversations and of taking all other necessary steps toward the solution of the Berlin Question, thus opening the way to a prompt resumption of negotiations for the conclusion of the remaining peace settlements for Germany, Austria and Japan. They added that . . . the Great Powers should lend their full and active support to the efforts at mediation of the Berlin dispute by the President of the Security Council and that they stood ready to lend all further assistance, by means such as the currency study being made by the Secretary-General, as might seem most helpful to the Great Powers in the solution of the problem.⁵⁶

Mr. Lie tells us that none of the powers agreed to a meeting, and that after receiving the four replies, Dr. Evatt and himself, in a joint statement, "renewed [their] appeal to all four powers to assist Dr. Bramuglia's endeavors."⁵⁷

55. It has not been possible to determine what relationship the Moscow agreements have to the Berlin Question. For a brief description of the Three Power Conference in Moscow, December 16-26, 1945, see Frederick L. Schuman, International Politics (New York, 1958), 196.

56. United Nations, Document A/930, 40.

57. Lie, op. cit., 215.

For a fuller description of the efforts of Lie and Evatt, see Ibid., 214-226, and Herbert Vere Evatt, The Task of Nations (Cambridge, Mass., 1949), 81-84.

Referring to the efforts of the United Nations in the Berlin case,^{57A} Mr. Lie, in the 1948-49 Introduction to the Annual Report said:

None of these efforts brought immediate results, but their effect was to greatly moderate the tension, reduce the danger of war, and gain time for other factors tending to a settlement to make themselves felt. In the end, the result was the resumption of Great Powers negotiations on the peace treaties after seventeen months of complete stalemate during which the Council of Foreign Ministers did not meet.⁵⁸

From the evidence available it would seem that of the principal powers, the United Kingdom was the least willing to see the Secretary-General exercise political initiative.

Reference was made above to the Secretary-General's proposal for a United Nations Guard. On April 7, 1949 discussion began in the Ad Hoc Political Committee on Mr. Lie's proposal. The Philippines proposed that a special committee be established to study the full implications of the proposal. The representative of France, while not opposed to the creation of the special committee, doubted that a United Nations Guard would serve a practical purpose. The USSR and her satellites held that the Secretary-General's proposal was contrary to the Charter. Despite this, the Philippines draft resolution was recommended to the Assembly by the Ad Hoc Political Committee.⁵⁹

57A. Mr. Lie is referring particularly to the efforts of Dr. Bramuglia, Dr. Evatt, and himself; to the Assembly resolution; and to a currency study that was undertaken.

58. United Nations, Document A/930, x.

59. Ibid., 45.

In the Assembly the USSR strongly attacked the Secretary-General. The issue was clearly drawn on East-West lines and the Secretary-General was accused of being a tool of the West. On April 29, 1949 Mr. Malik contended that only the Security Council had any authority with respect to a force of this nature, for it was to be a purely military type. The creation of such a force would be a clear breach of the Charter.⁶⁰ He went on to say "that . . . the proposal was part of the campaign waged by the ruling circles of the United States of America to transform the United Nations into the obedient instrument of their policy."⁶¹

On June 24 the Secretary-General revised his proposal with respect to the United Nations Guard. It has not been possible, however, to establish whether this was as a result of Soviet opposition. The revised proposal suggested the establishment of two units, a United Nations Field Service and a Field Reserve Panel. The Field Service was to consist of three hundred men, seconded from national governments. It was emphasized that they would not normally be supplied with arms and would be concerned with provision of land transport for missions, maintenance or radio-communications, security of members of United Nations missions and United Nations premises, safe

60. United Nations, Official Records, General Assembly, Third Session, Plenary Meetings, 313-215.

61. Ibid., 215.

custody of supplies, records and archives, maintenance of order during meetings, hearings and investigations, and guard duty at headquarters. The Field Reserve Panel would be a list of persons for service only in response to a specific decision by the General Assembly or the Security Council or an organ authorized by them. The functions of the Panel would include the observation of truce terms and protection of neutralized areas.⁶²

By 1948-49 the Introduction to the Annual Report of the Secretary-General on the Work of the Organization seems to have reached its final form. In it Mr. Lie reviewed the events of the year, generally in an optimistic light, and saw the settlement of disputes through peaceful means as being most effective. In general, with the establishment of peace in Palestine and Indonesia, he saw 1948-49 as a good year for the United Nations. Under the heading "Strengthening the United Nations" Mr. Lie stressed, as he had in previous reports, the need for peace settlements with Germany, Austria, and Japan, and the control of atomic energy and weapons of mass destruction. He called for consultation among the Great Powers and said: "The good offices of the Secretary-General are always available to facilitate such consultations." He referred to his revised plans for the United Nations Field Force, and offered a solution to the question of the disposal of the

62. United Nations, Document A/930, 45.

63. Ibid., xiv.

former Italian colonies, stating:

The best solution, in my opinion, would be a direct United Nations trusteeship with an administrator responsible solely to the Trusteeship Council. It is, of course, for the Member Governments to decide, but I feel sure that such a bold forward step would help the peoples of the territories concerned to follow the peaceful path towards self-government or independence, and that it would strengthen the confidence of dependent peoples all over the world in the United Nations and in the Member Governments who would have made such a solution possible.⁶⁴

He called for technical assistance to under-developed countries, for regional economic development on a large scale, and referred once more to universality of membership, as he had "on several occasions during the past three years." With respect to the record of the twelve months ending June 30, 1949, Mr. Lie said: "It is a record of achievement in the prevention of war and in the steady construction of the foundations of a more peaceful and prosperous world."⁶⁵

Mr. Lie's annual reports, in a similar fashion were to continue during his tenure of office, and have been referred to as "state of the international union" messages.⁶⁶

Returning to the matter of the United Nations Field Force, in September 1949 the Special Committee submitted its report to the Assembly. The report of the Special Committee approved the revised plan submitted by the Secretary-General. The Special Committee

64. United Nations, Document A/930, xiv-xv.

65. Ibid., xv.

66. Leonard, op. cit., 244.

emphasized that the United Nations Field Force was not an international military force. The USSR and satellites submitted a minority report in which the

considered that the proposals exceeded the powers conferred upon the Secretary-General by the Charter and elaborated in various resolutions of the General Assembly. The proposed Field Service was a unit of purely military type, and, by the terms of the Charter, the Security Council was the only organ with any legal basis for the establishment and use of any armed forces or units of military types whatsoever. Adoption of the proposal would, therefore, be a clear breach of the Charter.⁶⁷

The Assembly on September 22 referred the report of the Special Committee to the Ad Hoc Political Committee. The Ad Hoc Political Committee, on October 27, approved the report. On November 22, 1949, over the opposition of the USSR and the satellites, the Secretary-General's plan was adopted.⁶⁸

The years 1948-49 appear to have marked a considerable increase in the extent of the political activity by the Secretary-General, and to have seen a movement toward a more sustained effort to solve political problems. By no means, however, does the evidence indicate that he was extensively involved in all the disputes before the United Nations (for example, nothing has been cited for the problems of Indonesia and Kashmir). There seems, if a large part of what Mr. Lie says can be accepted, to be a certain interesting feature to the increased activity. In the Palestine case, after boldly prodding the

67. United Nations, Document A/1287, 36-37.

68. Ibid. See also, "United Nations Field Force," United Nations Bulletin, Vol. VIII, No. 1 (January 1, 1950), 15.

Security Council, he then exhibited a certain wariness of undertaking further public initiative unless there appeared to be a reasonable possibility of success. He did, however, work extensively behind the scenes. Mr. Lie was boldy to propose the United Nations Field Force, but then to modify the proposal downward, though it cannot be said definitely that this was because of the Soviet opposition. A similar tendency does not, however, seem apparent in the Berlin case. His Introduction to the Annual Report for 1948 was a much more highly developed political instrument than any preceding one, and by 1949 the Introduction reached its final form. If the case of the Field Force can be considered representative, the opposition to the Secretary-General by a principal power would seem proportionate to the vital interest involved.

On December 29, 1949, Mr. Malik of the USSR, in the Security Council, disputed the right of the Chinese Nationalist delegate to represent China in the United Nations. On January 10, 1950 Mr. Malik submitted a resolution calling for the seating of Communist China. When the Council decided not to consider the resolution immediately, but at a special meeting, Mr. Malik walked out. On January 13, however, Mr. Malik was back. The Soviet resolution was considered. Mr. Cross, the representative of the United States, indicated his country's support for Nationalist China, but also stated that the United States would "accept the decision of the Security Council on this matter when made by an affirmative vote of seven members."⁶⁹

69. United Nations, Document S/PV. 460, 6.

The USSR proposal received, besides its own, the affirmative votes of India and Yugoslavia, while the United Kingdom and Norway abstained. Mr. Malik then declared:

the Union of Soviet Socialist Republics will not recognize as legal any decision of the Security Council adopted with the participation of the representative of the Kuomintang group, and will not be guided by any such decisions.⁷⁰

Mr. Malik then walked out, and the USSR was not to be represented in the Security Council for approximately six and one half months thereafter.

Mr. Lie admits that he "was not sure at first what the Secretary-General should try to do." He felt that "it was China, not Chiang Kai-Shek, that belonged to the United Nations.⁷¹ He refers to going to Washington to discuss the matter with Dean Acheson, the American Secretary of State, and indicates that the United States was not prepared to take any action to seat Communist China.⁷² It is well known that the United States would only support Chiang Kai-Shek. Mr. Lie indicates that he then tried to build up the requisite majority of seven to seat Communist China.⁷³

During February, 1950 the Secretary-General requested his staff to prepare a confidential memorandum on the legal aspects of the problem of the representation of states in the United Nations. He

70. United Nations, Document S/PV. 461, 10.

71. Lie, op. cit., 254.

72. Ibid., 255.

73. Ibid., 255-256.

then discussed, and left a copy of his memorandum, with all the members of the Council except the USSR and Nationalist China.

Some of the representatives of the Security Council asked to see the memorandum and references to it appeared in the Press. On 8 March, the Secretary-General informed the President of the Council that he felt it appropriate that the full text be made available to all members of the Council. Accordingly he circulated the memorandum (S/1466) to all members and released it to the Press.⁷⁴

The memorandum, in so many words, advocated the seating of Communist China. With reference to the principle upon which representation should be based, it read in part:

[The] . . . proper principle can be derived by an analogy from Article 4 of the Charter. This article requires that an applicant for Membership must be able and willing to carry out the obligations of Membership. The obligations of Membership can be carried out only by governments which in fact possess the power to do so. Where a revolutionary government presents itself as representing a state, in rivalry to an existing government, the question at issue should be which of these two governments in fact is in a position to employ the resources and direct the people of the state in fulfillment of the obligations of Membership. In essence, this means an enquiry as to whether the new government exercises effective authority within the territory of the state and is habitually obeyed by the bulk of the population.⁷⁵

This was a bold attempt to influence the Security Council. Mr. Lie, in his book, says that though his first concern was for the

74. "Representation Of Member States In The United Nations," Yearbook of the United Nations 1950 (New York, 1951), 24.

75. United Nations, Official Records, Security Council, Fifth Year, Supplement for 1 January through 31 May 1950, 22. See also, "Secretary-General Offers Representation Principle," United Nations Bulletin, Vol. VIII, No. 7 (April 1, 1950), 311-313.

people of China, he also felt compelled to act because he thought the withdrawal of the USSR might mean the end of the United Nations, or the USSR setting up a rival organization. The cold war had deepened and only through the United Nations did Mr. Lie see a hope for peace.⁷⁶

Whatever Mr. Lie's motives, it was a very strong stand he had taken. While it was readily supported by the USSR, and while the British had recognized the Peking Government, the United States could not support Peking, and Mr. Lie was attacked in the United States press.⁷⁷ Mr. Lie was also roundly attacked by the representative of Nationalist China to the Security Council.⁷⁸

Mr. Lie then turned to another way in which to resolve the crisis. It should be noted that the memorandum on China and the action that Mr. Lie was now to take have been described as "the boldest action ever taken by an international civil servant."⁷⁹ It should also be recalled that faith in the United Nations was at a very low level. "Diplomatic discussion between East and West had virtually ceased."⁸⁰

76. Lie, op. cit., 253, 259.

77. See p. 77 below.

78. See "Secretary-General Offers Representation Principle," loc. cit., 313.

79. Leonard, op. cit., 249.

80. Cheever and Haviland, op. cit., 370.

Mr. Lie used an invitation to address the B'nai B'rith organization in Washington on March 21 as an opportunity to begin his new campaign. In his address he referred to having tried "to help the Member governments settle the question of who is to represent China in the United Nations." He reiterated his belief that the "450,000,000 people of China are collectively original members of the United Nations by the terms of the Charter itself."⁸¹ He spent a good part of his speech trying to revive faith in the United Nations and concluded: "What we need, what the world needs, is a twenty-year program to win peace through the United Nations."⁸² Out of this beginning was to come his "Memorandum of Points for Consideration in the Development of a Twenty Year Program for Achieving Peace Through the United Nations".

At the 308th plenary meeting of the General Assembly, as paraphrased in the Yearbook of the United Nations for 1950, Mr. Lie was to explain his motives in preparing the Memorandum as follows:

The Memorandum had originated from the consciousness of a gross danger to the United Nations which had arisen as a result of growing international distrust and a consequent diminishing of faith in the efficiency of the United Nations

81. "What the World Needs Is a 20-Year Program to Win Peace Through the United Nations," United Nations Bulletin, Vol. VIII, No. 7 (April 1, 1950), 288.

82. Ibid., 313.

as an instrument of peace. This "fatal tendency", the Secretary-General believed, must and could be arrested by a new and greater effort to employ to the full the resources present in the Charter for conciliation and constructive peace planning.⁸³

The memorandum itself was to state, inter alia:

The atmosphere of deepening international mistrust can be dissipated and the threat of the universal disaster of another war averted by employing to the full the resources for conciliation and constructive peace-building present in the United Nations Charter. The employment of these resources can secure eventual peace if we accept, believe and act upon the possibility of peaceful coexistence among the Great Powers and the different economic and political systems they represent, and if the Great Powers evidence a readiness to undertake genuine negotiations--not in a spirit of appeasement, but with enlightened self-interest and common sense on all sides.⁸⁴

In the memorandum Mr. Lie set out ten points. The first five dealt with political matters and called for:

1. Inauguration of periodic meetings of the Security Council attended by Foreign Minister, or heads or other members of governments
2. A new attempt to make progress toward establishing an international control system for atomic energy
3. A new approach to the problem of bringing the armaments race under control
4. A renewal of serious efforts to reach agreement on the armed forces to be made available under the Charter for the enforcement of decisions.
5. Acceptance and application of the principle [of] . . . universality of membership.⁸⁵

83. "Proposals for Strengthening World Peace," Yearbook of the United Nations 1950 (New York, 1951), 214.

84. United Nations, Document A/1304, Item 60.

85. Ibid.

The remaining five points were in the economic and social sphere.

They respectively referred to technical assistance; the specialized agencies; human rights; advancement of dependent, colonial or semi-colonial people toward a position of equality in the world; and the development of international law.

It should be pointed out that in preparing his peace programme, Mr. Lie had not abandoned his efforts with respect to seating Communist China. He says:

[While] . . . much of my peace programme was not directly conditional upon a settlement of the Chinese problem, there could be little meaningful progress toward peace without the participation in the United Nations of the Soviet Union and the government which, in fact, controlled the Chinese mainland.⁸⁶

Armed with his legal memorandum on the Chinese question, and with the twenty year peace program, and accompanied by three assistants, Mr. Lie "undertook an unprecedented series of personal negotiations with the heads of several of the principal powers, which took him halfway around the world."⁸⁷ He visited Washington, London, Paris, and Moscow, and also the capitals of non-permanent

86. Lie, op. cit., 265.

87. Leonard, op. cit., 247.

See also, "Restore United Nations as Great Power Meeting Place," United Nations Bulletin, Vol. VIII, No.10 (May 15, 1950), 418-20.

members of the Security Council. In Paris he discussed his point of view with the head of ten of the specialized agencies.⁸⁸

As to the reaction to the proposal for seating Communist China, Mr. Lie indicates that the only new development was the movement of France toward Mr. Lie's position. As to the peace programme, Mr. Lie indicates that the French supported his suggestions while the reactions of some of the other powers were more mixed. The British did not agree with a large part of the programme, they felt that the USSR could not be trusted and that the most important matter at that time was the strengthening of the North Atlantic Treaty Organization. The Americans agreed to regard the memorandum as a basis for discussion,

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88. The Secretary-General and the agency heads issued a collective statement on May 4 which reads in part:

"The present division of the world and the increasingly serious conflicts of policy among the great powers have gravely impaired the prospects for world peace and for raising the standards of living of the peoples of the world

We reaffirm the validity of this principle of universality. The United Nations system makes ample room for diversity within a universal framework

We also believe that it is necessary for all governments to renew their efforts to conciliate and negotiate the political differences that divide them and obstruct economic and social advancement. Specifically, we believe that it is essential to the future of both the United Nations and the specialized agencies that the present political deadlock in the United Nations be resolved at the earliest possible moment. The peace and well-being of all peoples demand from their governments a great and sustained new effort by the nations of the world to achieve a constructive and durable peace."

"Agency Heads Gravely Concerned," United Nations Bulletin, Vol. III, No. 10 (May 15, 1950), 418.

while the reaction of the Soviet Union appeared to be favourable.

None, at this time, appears to have questioned his rights to undertake such a mission.⁸⁹

As noted, the memorandum regarding the seating of Communist China and the peace programme had been presented simultaneously. Circles in the United States reacted violently to the Communist Chinese issue, and the peace programme in part shared this reaction.

The principal stumbling blocks to Lie's hopes were the Korean War and the United States Although Britain had recognized the People's Republic and France was reported after Lie's trip to be ready to accept the Peking Government in the Security Council, Washington, even prior to the Korean attack, was finding it hard to stomach another Communist power in the United Nations with another, if redundant, veto in the Security Council.⁹⁰

Republican Senators Briggs and Knowland were to brand Mr. Lie the "Soviet partisan incumbent", and they tried to use their influence to have him removed as Secretary-General unless he revised his attitude on China "at once".⁹¹

Though circles in the United States were hostile, and while the British seem to have given the peace memorandum but polite attention,

89. Lie, op. cit., 293-316.

90. Cheever and Haviland, op. cit., 371.

91. The New York Times, June 18, 1950, quoted in Cheever and Haviland, op. cit., 371.

Mr. Lie described the public reaction as follows:

"But you do not know," he told his staff, " . . . how many thousand and thousands of mothers wrote to me, how many groups sent me flowers. There was just one idea, one thought behind all these expressions of sympathy toward my job at this time--and that was peace, peace, peace." He continued, "I had more sympathy from the ordinary men and women, those who are carrying the burden of their work every day, those who are building the world, during my five weeks trip in Europe, than at any time before." 92

The outbreak of the Korean War drew attention from Mr. Lie's recent peace mission, but he referred his memorandum to the General Assembly nevertheless. Reference will be made in Chapter Four below to the Assembly's consideration of it. Attention must now be directed at Mr. Lie's political role in the Korean War.

On June 24, 1950, shortly before midnight, Mr. Lie received an urgent telephone call from Washington at his home in Forest Hills. Mr. J. D. Hickerson, Assistant Secretary of State for the United Nations Affairs, reported that the North Koreans had begun the invasion of the Republic of Korea. Preparations were made for an emergency meeting of the Security Council for the next day to consider the question. Steps were also taken to get in contact with the United Nations Commission at Seoul so that an independent view of the situation would be available. At three o'clock Mr. Gross of the United States

92. U.N. Press Release SG/96, May 25, 1950, quoted in Leonard, op. cit., 249. See also, "Our United Nations," United Nations Bulletin, Vol. IX, No. 2 (July 15, 1950), 86.

phoned to formally request, on behalf of his government, the convening of the Council as soon as possible.⁹³

With respect to the action he proposed to take the next day, Mr. Lie says:

My determination to speak out was hardened by the feeling that Moscow, in its public show of warmly welcoming my peace mission a month before, had been building up a peaceful atmosphere well suited to the surprise attack in Korea.⁹⁴

Be that as it may, the next day the President of the Security Council first called on the Secretary-General to report on any information he might have received from the United Nations Commission in Korea. Before the member governments had set out their policies, Mr. Lie was boldy to say:

. . . military actions have been undertaken by North Korean forces.

These actions are in violation of the Resolution of the General Assembly, . . . as well as a violation of the principles of the Charter.

The present situation is a serious one and is a threat to international peace. The Security Council is, in my opinion, the competent organ to deal with it.

93. Lie, op. cit., 327. See also, "Council Determines Breach of Peace," United Nations Bulletin, Vol IX, No. 2 (July 15, 1950), 71-73.

94. Lie, op. cit., 329.

I consider it the clear duty of the Security Council to take steps necessary to re-establish peace in the area.⁹⁵

It should be noted that the

Secretary-General apparently considered this statement to be an invocation of Article 99 despite the fact that the emergency session of the Council was called not upon his initiative, but upon that of the United States.⁹⁶

That day a resolution was passed, by a vote of 9 to 0 (Yugoslavia abstaining), which declared the action in Korea to constitute a breach of the peace. It also called for the immediate cessation of hostilities and withdrawal of North Korean forces behind the 38th parallel. Members of the United Nations were requested to render every assistance to the United Nations and to refrain from assisting North Korea.⁹⁷ Since the North Koreans continued to press their action, on June 27 a resolution was passed calling for the members of the United Nations to supply such assistance to the Republic of Korea as might be necessary to restore peace and security.⁹⁸

It must be recalled that the USSR was at this time still boycotting the meetings of the Security Council, and holding Council action to be illegal. Mr. Lie had urged the Security Council to act, and said that it was competent to do so. To further support his

95. United Nations, Document S/PV. 473, 3.

96. Stephen M. Schwobel, "The Origins and Development of Article 99 of the Charter," British Yearbook of International Law, Vol. XXVIII (1951), 381. See also, Lie, op. cit., 323.

97. United Nations, Document S/PV 473, 12.

98. United Nations, Document S/PV. 474, 4.

contention, Mr. Lie claims that he had the Legal Department prepare a memorandum on "Legal Aspects of Security Council Action in Korea", which he circulated. It maintained that the lawful occupant of China's seat was a matter to be determined by the Council, and that the absence of the USSR did not constitute a veto but was rather equivalent to abstention.⁹⁹

Mr. Lie claims he then tried to exercise his influence again, this time primarily on the United States. He claims to have circulated a draft resolution on July 3, 1950, which provided for the United States, which had almost immediately moved forces into Korea, to assume responsibility for organizing a United Nations Command under the United Nations flag. The resolution also proposed the establishment of a "Committee on Coordination of Assistance for Korea". Mr. Lie says:

The explicit purpose of the committee was to stimulate and coordinate offers of assistance. Its deeper purpose was to keep the United Nations "in the picture," to promote continuing United Nations participation in and supervision of the military security action in Korea of a more intimate and undistracted character than the Security Council could be expected to provide.¹⁰⁰

99. Lie, op. cit., 335.

There is a difference of opinion regarding the case presented in the memorandum. For arguments for and against it, see Hans Kelsen, The Law of the United Nations (London, 1951), 240 ff, 940-41.

100. Lie, op. cit., 334.

He says that the provision for a Committee on Coordination was opposed strongly by the United States, which initially wished to keep the effort in Korea primarily a United States action, though acting in accordance with the recommendations of the Security Council.¹⁰¹ A resolution, sponsored by the United Kingdom and France, which incorporated much of Mr. Lie's draft, except that no provision was made for the Committee on Coordination, was adopted on July 7.¹⁰²

Mr. Lie states that he also took the Korean question out of the Security Council Affairs Department of the Secretariat, which was headed by Mr. Zinchenko, a Soviet national, and placed it "in the hands of a specially constituted unit attached directly to [his] own office."¹⁰³ As reasons for this, Mr. Lie cites the difficult position in which Mr. Zinchenko would have been placed and also the fact that the public might imagine that the USSR would be obtaining military secrets through its nationals.

It appears that Mr. Lie's role soon became basically a coordinating one. It is maintained by some that the

role of the Secretary-General in the Korean operation was primarily that of a liaison officer between the Unified Command and the United Nations and its Members. The Secretary-General communicated to Members the actions of the Council, informed Members of specific

101. Lie, op. cit., 334-335.

102. United Nations, Document S/PV. 476, 8.

103. Lie, op. cit., 343.

needs of the United Nations Command, and transmitted the details of offers to it.¹⁰⁴

Mr. Lie's initial action in Korea was to earn for him the displeasure of the USSR. Indeed the opposition may be described as vehement, as will be illustrated in the succeeding chapter. At this point, however, reference will only be made to some of the early attacks which Mr. Lie cites. He reports that Mr. Gromyko charged that the Secretary-General "had played 'an unseemly role,' having obsequiously helped a gross violation of the Charter on the part of the United States Government and other members of the Security Council!"¹⁰⁵ Mr. Lie quotes a Soviet spokesman as referring back to the peace mission and saying:

"Only recently, after he donned the mask of an objective arbitrator, Trygve Lie travelled about European capitals on a 'peace mission.' Newspapers wrote much about his 'valuable initiative.' What is such a 'mission of peace' worth after Trygve Lie's openly coming forth against peace and in defense of an aggressive war?

Evidently, this 'valuable initiative' was no more than a maneuver designed to distract attention from the war venture being prepared by the Americans in the Far East."¹⁰⁶

Reference is also made to an article in Pravda of July 13, 1950 which, under the title "The Peoples of the World are Keeping the

104. Leland M. Goodrich and Anne P. Simons, The United Nations and the Maintenance of International Peace and Security (Menasha, Wisc., 1955), 471.

105. Lie, op. cit., 335.

106. Ibid., 342.

"Aggressors in Check", said in part: "Dropping his mask, Mr. Trygve Lie . . . became one of the direct and active accomplices of the United States armed intervention in Korea."¹⁰⁷

Attention should be drawn to the fact that Mr. Lie's action with respect to the seating of Red China was to have branded him a "Soviet partisan incumbent" by certain circles in the United States, while now, with Korea, he has become, in the eyes of the USSR, an agent of the United States.

Looking at the entire period from Secretary-General Lie's appointment in early 1946 until the initial action in the Korean war, it would appear that the level of the political initiative exercised by the Secretary-General was not constant throughout. The "abortive" Iranian intervention and the subsequent Revision of the Rules of Procedure appear as bold moves. Mr. Lie refers to the fact that the Powers in that early period had not yet fully accepted the Secretary-General exercising a strong political role, and he decided to proceed gradually in developing his office. The Iranian intervention particularly may have brought home this realization. Further precedents were established in 1946, but in early 1947 Mr. Lie appears to have shifted from making public presentations to the Council, perhaps because of the lack of success there. He then turned to the public statement, in large measure outside the United Nations, to try and restore faith in the Organization and to lessen the deepening division

107. Lie, op. cit., 370.

between East and West. The years 1946-47 therefore, though the Secretary-General was exercising initiative, must be considered as those of least political activity by the Secretary-General. With 1948-49 there appears to have been a shift to a more sustained effort to influence the solution of particular political problems. There seems to have been a tendency to exercise relatively strong initiative, to be followed by a reluctance to exercise further public initiative on the same problem unless there was a reasonable hope of success, though continuing to work behind the scenes. With the year 1950 Mr. Lie appears, in large measure, to have "pulled out the stops." Most striking, and surpassing all his other actions, was the peace mission and plan. Mr. Lie most fully assumed the role of international statesman and attempted to bring to an end, or at least appreciably moderate, the hostility that existed between East and West. The significance of this is evident especially when it is recalled that Mr. Lie, though politically appointed, was an international civil servant.

Over the years, Mr. Lie was to develop various techniques in his attempts to exercise political initiative. There seems to have been much behind the scenes activity; the Introduction to the Annual Report was to develop into a political instrument; items were placed on the agenda of the Assembly; the technique of the legal memorandum was used extensively; and Mr. Lie was to use the private platform and to speak in the Council and the Assembly.

It is also evident that the Secretary-General, in taking a strong stand on any issue, tended to antagonize one or other of the principal Powers, and to be accused of being partisan. One need only recall the hostility of certain circles in the United States over the question of the seating of Communist China, and the attitude of the USSR after Mr. Lie's initial efforts in Korea. The significance of this will be more fully developed in later chapters.

CHAPTER 4

MR. LIE'S POLITICAL ROLE 1950-53

This chapter will enquire into the level of political initiative exercised by Secretary-General Lie from approximately August of 1950 until his retirement in early 1953.

In the previous chapter reference was made to the role of the Secretary-General in the Korean question, after the initial initiative, as being largely a co-ordinating one, and reference was also made to what Mr. Lie claims to have been Soviet attacks on him as a result of that initial initiative. Nevertheless in September, 1950, if we accept Mr. Lie's word, the Secretary-General made an attempt to reassert his influence with respect to the Korean question.

Mr. Lie says that on September 30, shortly after the successful Inchon landing, he and his advisers prepared draft working papers on "Suggested Terms of Settlement of the Korean Question", which he circulated to the American, British, French, Canadian, Indian and Norwegian delegations and discussed with Mr. Zinchenko.¹ These terms included a cease-fire in Korea, withdrawal to the 38th parallel, a demilitarization of forces, entry of a United Nations Commission into Korea, and a free election to be held in all Korea within one year. They further included, if the North Koreans accepted the above, provision that United Nations forces would not cross the parallel, and would, after the elections, hand over authority to the new all-Korean government. Should the North Koreans refuse to accept the

1. Assistant Secretary-General for Security Council Affairs.

above, the United Nations forces would cross the 38th parallel "with the objective of eliminating the North Korean authorities." The United Nations forces would remain in occupation until the Security Council or the Assembly decided to call an election.²

Mr. Lie indicates that his suggestions "met with considerable interest, but were apparently outdistanced by American negotiations with various delegations."³ A resolution, advanced by the United States, called for the taking of all necessary steps to ensure peace in all Korea, and for elections under United Nations auspices to establish a unified Korea, and authorized United Nations forces to enter North Korea, though they were not to remain longer than necessary to achieve objectives. A resolution, sponsored by Australia, Brazil, Cuba, the Netherlands, Norway, Pakistan, the Philippines and the United Kingdom, was adopted in the Assembly on October 7, 1950 which incorporated the American draft and added provision for a "United Nations Commission for the Unification and Rehabilitation of Korea". It was opposed by the USSR, which attacked the United States and entered a counter-proposal calling for the withdrawal of all troops to be followed by free elections.⁴ Mr. Lie says of the above: "I was unhappy in the abandonment of my own plan--particularly after the Communist side, through Czechoslovakian Foreign Minister Siroky, showed some interest in similar ideas."⁵

2. Trygve Lie, In the Cause of Peace (New York, 1954), 344-345.

3. Ibid., 345.

4. United Nations, Document A/1844, 37.

5. Lie, op. cit., 345.

The next major political issue with which the Secretary-General was concerned was the expiration of his term of office. Prior to the outbreak of hostilities in Korea, on December 16, 1949 Mr. Lie had stated that he was not a candidate for reappointment.⁶ Mr. Lie says that after the initial Korean action, it was soon evident that the USSR would not support him for re-election. He writes: "My first reaction was gratification that my statement a full eight months ago had taken me out of the race."⁷ However, Lie informs us that, in September 1950, he changed his mind for the following reasons:

Because of my intervention in the Korean issue I, as Secretary-General, had obviously become a thorn in the side of the Soviet Union. If I left office, either by my own choice or by that of the Member Nations, would the Soviet Union interpret it as a victory, and, correspondingly, a defeat for the stand I had come to represent? I did not care to be used as a political football in a struggle between the Great Powers. On the other hand I did not wish to leave office as a man defeated and punished by the Soviet Union for my stand on Korea.

I concluded that were I to be drafted by the United States, France and Great Britain to run in defence of United Nations policy, I might have to accept one or two years more as a means of blocking a Soviet political victory, although under no circumstances would I accept a full term.⁸

During October the Security Council, in a series of secret meetings, considered the question of nomination of a Secretary-

6. Lie, op. cit., 369.

7. Ibid., 370.

8. Ibid.

General for the next five year period.⁹ It appears that Yugoslavia nominated Mr. Lie for a second term, but this was vetoed by the USSR.¹⁰ After the Soviet veto the United States took a most extraordinary step and threatened to veto any other candidate but Trygve Lie for the office of Secretary-General. The deep political significance which the United States attached to the Lie appointment is emphasized when it is recalled that the United States had been following an anti-veto policy, with this being the first occasion on which it threatened to cast a veto. The reasons for the American action are set out in an article in The New York Times entitled "U.S. Threatens First Veto in Backing Renaming of Lie" and which contains an official transcript of the speech given by Warren Austin to the private meeting of the Security Council.

The article states that "the long standing position of the United

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9. The procedure for appointing a Secretary-General is as follows: Article 97: . . . The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council.

This article, when combined with the relevant rules of procedure means that one candidate is nominated by the Security Council meeting in closed session and voting by secret ballot, the unanimity rule prevailing, and this nomination is communicated to the General Assembly. The General Assembly by secret ballot and majority vote appoints the Secretary-General.

The terms of appointment of the Secretary-General are determined by the General Assembly. See United Nations, Repertory of Practice of United Nations Organs, Vol. V, (New York, 1955), 110-117.

10. By a vote of 9 to 1 with 1 abstention.

States has been that it never would cast a veto except in matters concerning the security of the country."¹¹ The article goes on to indicate that Mr. Austin had not abandoned this policy for he maintained in his speech that the matter of Mr. Lie's continuation in office "concerns the security of my own country, the security of the Far East, the Middle East, and the Western Hemisphere."¹²

It seems best, if the American public position is to be understood, that Mr. Austin's speech "described by those in the Council meeting as the most impassioned in his United Nations career,"¹³ should be quoted at some length.

Mr. Austin said, in part:

"Mr. Lie has been the steadfast advocate and executive of the unity of the fifty-three nations in resisting armed aggression. He has been steadfast in building the principles of the United Nations to stand in the place of force.

I do not believe that Mr. Lie now must bow down and take the rod on his back from the country that has been arguing the case of the Korean aggressor in the United Nations.

He should have the united support of those members whose case he has supported.

. . . No other man could take this office knowing that his predecessor had been condemned because he carried out the policies of the United Nations fearlessly and impartially. Anyone holding that office would forever after stand under the shadow of any permanent member that opposed United Nations policies.

11. The New York Times, October 26, 1950, 1.

12. Ibid.

13. Ibid., 10.

I have indicated to the permanent members of the Security Council that I am ready to thwart the Soviet veto of Mr. Lie by every means in my power.

I do not believe a veto will become necessary but the great moral principle of the unity of the free powers is at stake and I do not fear to use whatever means I can to maintain that unity.

The settled purpose of my delegation is to use all its resources to prevent an attempt to punish and repudiate Mr. Lie, an attempt made in clear defiance of the majority of the members of the Security Council."¹⁴

Despite this threat by Mr. Austin the USSR was in further meetings to put forward the names of four able men: General Romulo, Sir Benegal Rau, Mr. Padilla Nervo and Mr. Charles Malik. These were rejected, not by the United States using the veto, but by the United States and others abstaining on the vote.¹⁵ A joint resolution¹⁶ was then placed before the General Assembly proposing, since the USSR would not allow re-appointment of Mr. Lie and since the United States would not endorse anyone else, an extension of Mr. Lie's term for a period of three years.¹⁷

14. The New York Times, October 26, 1950, 10.

15. There is no Security Council record of the Council meetings. A recitation of what occurred is to be found in the records of the General Assembly. See United Nations, Official Records, General Assembly, Fifth Session, Plenary Meetings, especially the speeches of Mr. Austin (p. 252) and Mr. Vyshinsky (p. 259-60). See also, The New York Times, October 26, 1950, 1, 10.

16. Sponsored by Brazil, Canada, Cuba, Ecuador, France, Greece, India, New Zealand, Nicaragua, Norway, Pakistan, the Philippines, the United States, the United Kingdom and Yugoslavia.

17. The legality of this step has been questioned. See Hans Kelsen, The Law of the United Nations (London, 1951), 950-952.

The records of the General Assembly further illustrate the extent to which the question of Mr. Lie's reappointment became a political issue.

Mr. Austin, with reference to the Soviet veto, said:

We cannot conceal from ourselves or from world public opinion that in this situation the veto was employed to punish the Secretary-General for carrying out faithfully the decisions of the Security Council to resist aggression in Korea.

New tactics were then introduced to support the use of the veto . . . The names of able and highly esteemed individuals were placed before the Council, but the issue was now focused on principles rather than on personalities. The use of the veto to punish the Secretary-General for his efforts to resist aggression in Korea has made it impossible to consider new nominations on their merits . . .

The draft resolution now before the General Assembly is a continuation of the effort to maintain the integrity and independence of the office of Secretary-General. It is a continuation of the efforts to strengthen the capacity of the Secretary-General, whoever he may be, to function without fear of reprisal by one of the permanent members of the Security Council. It is a continuation of the effort to maintain the unity achieved by fifty-three members in resisting armed aggression.¹⁸

Mr. Vyshinsky strongly maintained that the procedure to extend the term of the Secretary-General was illegal, and denied that Secretary-General Lie was being punished for the Korean action. He referred to the candidates that the USSR had supported,¹⁹ and cited certain of these, and particularly General Romulo, as being stronger

18. United Nations, Official Records, General Assembly, Fifth Session, Plenary Meetings, 252.

19. See page 92 above.

in their support of action in Korea than had Mr. Lie. He referred to Mr. Austin's threat to use the veto, and went on to say:

The Secretary-General must possess at least a minimum of objectivity. The present Secretary-General shows himself lacking in such objectivity when he plays second fiddle to the Anglo-American bloc instead of acting as Secretary-General

In his work . . . Trygve Lie has shown duplicity. It is clear that he has become an echo of the United States delegation, thereby forfeiting the respect and confidence of many Member States of the United Nations. This fact cannot be overlooked if we value the international authority of the United Nations

The USSR delegation considers it necessary to declare that if, in spite of the foregoing considerations, Trygve Lie is appointed Secretary-General of the United Nations for any supplementary period whatsoever, the Government of the Soviet Union, for the reasons stated, will have no dealings with him and will refuse to regard him as Secretary-General.²⁰

The resolution to extend Lie's term was carried by a vote of 46 to 5 with 8 abstentions.²¹

In respect to this action to extend the term it has been said:

20. United Nations, Official Records, General Assembly, Fifth Session, Plenary Meetings, 261-262.

21. Ibid., 289.

"Among the abstainers were the Arab bloc, skeptical of legalities and Lie's role in the birth of Israel, the Nationalist Chinese delegate who could not be expected to support a candidate who felt that the Nationalists no longer represented China, and Australia which indicated 'genuine doubts' about the legality of the compromise". Daniel S. Cheever and H. Field Haviland, Jr., Organizing for Peace (Boston, 1955), 364.

By this decision, an overwhelming majority of the member governments not only expressed confidence in Lie but acknowledged his right to make the sort of political interventions for which he was being condemned by the Soviet Union. That is, governments recognized the Secretary-General's right to throw the weight of his office in support of proposals even though these were opposed by members.²²

Considerable significance must be attached to the extension of Mr. Lie's term. By a procedure which a noted authority on international law, Hans Kelsen, holds to be contrary to the Charter, the veto had been by-passed and it was possible to extend the term of any Secretary-General who had the support of a majority of the members of the General Assembly, even though he may have antagonized a principal power. It might therefore be said that a certain new independence had been given to the Secretary-General. On the other hand, however, the effectiveness of the political role of a Secretary-General who had antagonized particularly the United States or the USSR is open to question.

It will be recalled that in 1950, in an attempt to lessen East-West tension, Mr. Lie had prepared a memorandum setting out a twenty year peace programme. He had taken this memorandum personally to London, Paris, Moscow and Washington where he had discussed it with the national leaders, and on his return had placed it on the

22. L. Larry Leonard, International Organization (New York, 1951), 250-51.

agenda of the General Assembly.²³ On November 20, 1950, shortly after the decision to extend Mr. Lie's term, the memorandum was considered by the Assembly. The views of the majority toward the memorandum and the Secretary-General seem well summed up by the delegate of the United States:

We do not believe that any voice should be raised in criticism of the Secretary-General for the action he has taken in preparing and publishing his memorandum. True, it was an unprecedented action. It is, however, fully within the scope of the powers of the Secretary-General, as we construe them, under Chapter XV of the Charter. In our view he should always feel free to bring to the attention of governments and peoples everywhere any proposals he may have which are calculated to bring about a more peaceful world.²⁴

The USSR and the satellites, on the other hand, held Lie's behaviour to be inconsistent with the Charter. The Soviet delegate claimed that "the memorandum in reality expresses the views of the ruling circles of the United States, of the Anglo-American bloc."²⁵

He also stated:

23. See Chapter Three above for a description of the peace programme. It will be recalled that the peace programme is considered to be the greatest instance of political initiative by Secretary-General Lie.

24. United Nations, Official Records, General Assembly, Fifth Session, Plenary Meetings, 463.

25. Ibid., 445.

It has been said here in the General Assembly that Trygve Lie arrived from Moscow with his memorandum. On the contrary, he arrived in Moscow with his memorandum which had already been approved by the State Department of the United States, by the Foreign Office in London, and by the Quai d'Orsay in Paris, that is to say, by the whole company of conspirators against peace. And only then was the memorandum shown to us in Moscow.²⁶

By a vote of 51 to 5 with 1 abstention, drawn on definite East-West lines, a resolution was adopted commending the Secretary-General for his initiative.²⁷ This might be interpreted as approving the political conception of the role of the Secretary-General, and as indicating that the USSR stood by its pledge to oppose the Secretary-General.

Mr. Lie indicates that in December, 1950 and January, 1951 he held certain private conversations with respect to the prospect of a cease-fire in Korea. In December, 1950 a Chinese Communist delegation, headed by Ambassador Wu, arrived at the United Nations to discuss Peking's complaint against the United States of armed invasion of Taiwan (Formosa).²⁸ Mr. Lie claims that he tried to find out their feelings about a cease-fire in Korea, and similar moves were made by Sir Benegal Rau. For a time there appeared to be some progress but suddenly discussion became frozen.²⁹ In January, 1951 Mr. Lie claims

26. United Nations, Official Records, General Assembly, Fifth Session, Plenary Meetings, 446.

27. For entire debate, see ibid., 437 - 496.

28. United Nations, Document A/1844, 82.

29. Lie, op. cit., 356-57.

to have had discussions with Pandit Nehru in an attempt to persuade the Indian leader that one of the conditions of a cease-fire should not be that Peking be first admitted to the United Nations. Again he had no success.³⁰

In April, 1951 Mr. Lie made a trip which involved official visits to Yugoslavia, Greece, Egypt, Syria, Lebanon, Turkey and Israel. It had, in Mr. Lie's words, "no political significance",³¹ but during this trip, in a speech delivered in Yugoslavia, Mr. Lie made the following interesting statement:

The office I hold makes me responsible to all Sixty Member countries. At all times it is a difficult office. At a time when the world is divided, as it is today, difficulties are very great indeed.³²

It is possible to see implicit in the above a reference to the difficulties posed by the Soviet opposition to the Secretary-General. It cannot be said with certainty, however, that this was what the Secretary-General wished to imply.

Despite these difficulties, the Secretary-General, in June, appears to have made an effort to promote negotiations toward a cease-fire in Korea. In Ottawa on June 1, 1951, Mr. Lie, in an address to the United Nations Association, called for a cease-fire.

30. Lie, op. cit., 359-61.

31. "Mr. Lie's Trip to Europe and Mid East to Advance Cause of United Nations," United Nations Bulletin, Vol. X, No. 9 (May 1, 1951), 431.

32. Ibid.

"I believe," said Mr. Lie, "that the time has come for a new effort to end the fighting in Korea. The United Nations forces there--as things stand today--have repelled the aggression and thrown the aggressors back across the 38th Parallel.

If a cease-fire could be arranged approximately along the 38th Parallel, then the main purpose of the Security Council resolutions of June 25th and 27th and July 7th will be fulfilled, provided that the cease-fire is followed by the restoration of peace and security in the area." ³³

He went on to say that until it was known that the North Koreans and their supporters were ready to agree to a cease-fire, the United Nations must continue to fight in Korea, and "if there were no cease-fire in the very near future, it would be the duty of all Members to contribute additional forces." ³⁴ It should be noted that at an earlier stage in this speech Mr. Lie had called for, in the interests of collective security, a United Nations Legion "composed of volunteers drawn especially from those countries unable to set aside special United Nations units of their own." ³⁵

On June 8, in an address to the United Nations Correspondents Association, Mr. Lie said he was very pleased with the response to his cease-fire proposal in the Ottawa speech. He referred to having had talks with a number of delegates about this matter, but also stated that the decision as to what further steps should be taken

33. "Time For a New Effort to End 'Korea Fighting' - Trygve Lie in Ottawa Speech," United Nations Bulletin, Vol. X. No. 12 (June 15, 1951), 559.

34. Ibid.

35. Ibid. There is no evidence as to the reaction to the proposal for the United Nations Legion, aside from the fact that none was established.

toward a cease-fire was up to the member governments.³⁶ He went on to refer to the importance of member countries responding vigorously to the "Uniting for Peace" resolutions.³⁷ It should be noted that in supporting "Uniting for Peace" Mr. Lie was advocating a policy that the USSR strongly opposed. There is, however, no indication of the USSR's reaction to this address.

Mr. Lie says that he continued his cease-fire campaign by circulating privately among the delegations a memorandum, "Ideas Concerning Attainment of a Cease-Fire in Korea", in which he advocated that a cease-fire on purely military matters might be negotiated by military commanders in the field.³⁸

Shortly thereafter, on June 23, 1951, Mr. Malik in a radio talk in a United Nations series called for the beginning of negotiations between the belligerents for a cease-fire and armistice with mutual withdrawal behind the 38th Parallel.³⁹ Mr. Lie was in Norway at the time. In a telephone statement to United Nations headquarters Mr. Lie said that any cease-fire in Korea "should involve only military arrangements necessary to stop the fighting and ensure against renewal."⁴⁰ The political issues should be discussed in the competent

36. "Basic Conditions for a Rational World Order," United Nations Bulletin, Vol. XI. No. 1 (July 1, 1951), 8.

37. Ibid.

38. Lie, op. cit., 362.

39. For reference to Mr. Malik's speech and immediate United States reaction see United Nations, Document A/1844, 54.

40. "Agreement Reached to Hold Korea Cease-Fire Meeting," United Nations Bulletin, Vol. XI, No. 2 (July 15, 1951), 46-47.

organs of the United Nations. He urged that negotiations for a cease-fire should begin at the earliest possible date. On his arrival in New York (he left for New York a few hours after the speech), Mr. Lie immediately held consultations with the various delegations and with the President of the General Assembly. In a statement on June 28 Mr. Lie said:

"I am of the opinion that the Unified Command is authorized under the resolution of the Security Council to conduct such military negotiations on behalf of the United Nations, leaving political questions to be negotiated later in, or under, the appropriate organs of the United Nations."⁴¹

Mr. Lie claims that he followed this action by a memorandum from the Legal Department supporting the authority of the Unified Command to negotiate a cease-fire, but on July 2, 1951, in an aide memoire given limited circulation, he cautioned against over-optimism, and urged statements by Member States that they were prepared to furnish additional troops if no cease-fire was forthcoming. The Americans favoured the suggestion and they discussed it with the sixteen countries which had forces in Korea. However, "it was decided that a general call for pledges of additional support at this stage might not bring the results desired."⁴²

Mr. Lie claims that on July 3, in a note to the delegates of the United States, the United Kingdom, and France and to the Assembly

41. "Agreement Reached to Hold Korea Cease-Fire Meeting," United Nations Bulletin, Vol. XI, No. 2 (July 15, 1951) 47.

42. Lie, op. cit., 365.

President, he advocated that once a cease-fire was achieved a United Nations Mediator with a broad mandate to negotiate political questions should replace the United Nations Commission for Unification and Rehabilitation of Korea. Mr. Lie does not indicate whether his note was given serious consideration.⁴³

It would appear that up to this point Mr. Lie's efforts went beyond coordination and that he tried to promote and give direction to cease-fire negotiations. A considerable degree of initiative seems evident in June and July 1951, but it does not appear to approach the level of the twenty-year peace programme or the address to the Council on the first day of consideration of the aggression in Korea; there is certainly not the same impact or dramatic effect.⁴⁴

It will be recalled that The Introduction to the Annual Report of the Secretary-General on the Work of the Organization had become an instrument for political influence under Mr. Lie. It is therefore appropriate to look at his 1951 Introduction, written in September 1951. In it Mr. Lie referred to the threat of a third world war, but after reviewing the dark picture, he turned to the United Nations successes and said:

43. Lie, opt. cit. 365.

44. See Chapter Three above.

. . . it seems to me that the record of the past six years has shown the United Nations to be a practical instrument for all nations seeking peace, security and well being and advancement of their peoples.⁴⁵

However, he continued:

. . . there is danger that the bitter conflicts and historic upheavals of our times may prove too great a strain for a world structure that is still in the early stages of development.

I believe this disaster may be avoided if the governments will act promptly, vigourously and wisely to make the United Nations--in fact and in all respects--a cornerstone of their foreign policy⁴⁶

He wrote of the encouraging way in which collective security measures had been taken in Korea and he commended the Uniting for Peace Resolutions in these words: "This decision to establish a framework for collective security supplementary to the system intended by the Charter must be considered a milestone in the Organization's history."⁴⁷

As had become his custom Mr. Lie went on to offer suggestions for the future. He felt that regional security commitments should be more clearly regarded as complementary to the primary obligation under the United Nations, referred to the need for further develop-

45. United Nations, Document A/1844/Add. 1, 5.

46. Ibid.

47. Ibid.

ment of international law and of the necessity for maintaining sufficient armed strength for the "purpose of preventing war", called for full use of the Peace Observation Commission as a deterrent to war, and reaffirmed his call for universality of membership and of the need for development of expanded technical assistance programmes.

He concluded:

The United Nations must never forget that its functions are not only "peace keeping" but "peace creating", and that the creation of conditions of peace will in large measure be the result of providing the economic and psychological framework within which the majority of mankind finds life liveable and worth while.⁴⁸

This Introduction is a political instrument. In particular it attempts to give direction to future United Nations development.

Yet it contains nothing significantly new.⁴⁹ Mr. Lie does not suggest any positive measures to bring about a solution to the Korean question, but this may be because cease-fire negotiations were under way.

In November 1951, Mr. Lie spoke of the need for negotiation to settle the differences between the Atlantic Community and the USSR, the Arab world and Israel, and between some states in Asia. He spoke of the Assembly as the place for such negotiations. There was the opportunity for foreign ministers and representatives to have

48. United Nations, Document A/1844/Add. 1, 7.

49. For example, Lie previously lent his support to the Uniting for Peace Resolution. See address "Basic Condition for a Rational World Order," quoted on page 100 above.

straightforward discussion amongst themselves, and for conciliation and mediation by third parties. He went on to say: "In this connection, I am not thinking of myself."⁵⁰ This would appear to be a statement by the Secretary-General to the effect that he was no longer of any usefulness as a third party in negotiation of East-West differences. This was presumably because of the Soviet opposition to him. He had also antagonized the Arab world by his support of the creation of the state of Israel.

During the period from his Korean intervention up to the end of 1951 it appears that the Secretary-General had become an issue in the East-West conflict. After the decision to extend his term, the USSR boycotted Mr. Lie, addressed communications to the Secretariat not the Secretary-General, and even extended the boycott to include social life.⁵¹ Though we are told that Mr. Lie's major role in the Korean question, after his address to the Council, was a coordinating one, he seems to have gone beyond this, particularly about June-July 1951, and to have made attempts to influence the negotiation of a cease-fire. The latter part of 1951 is marked principally by the Introduction which, though a political instrument, appears to contain little that had not been said before. There are no positive suggestions with respect to a solution to the Korean question.

50. "The Secretary-General--Unequalled Opportunity for Negotiation," United Nations Bulletin, Vol. XI, No. 11 (December 1, 1951), 487.

51. See United Nations, Official Records, General Assembly, Sixth Session, Plenary Meetings, 420-22.

It is now proposed to look at the period from the end of 1951 until Lie's taking leave of office in early 1953.

On January 31, 1952 Mr. Lie presented his progress report on measures taken toward implementing the twenty year peace programme. Again Mr. Lie was opposed by the USSR and the satellites.⁵² This cannot be regarded as an instance of political initiative by the Secretary-General, rather it is cited as evidence of the continued Soviet opposition.

At the end of September, 1952 Mr. Lie submitted his Introduction to the Annual Report. This was after he had decided to submit his resignation,⁵³ and was to be his last Introduction. He began, as he had done in the previous Introduction, by referring to the threat of world war which still existed, and to the East-West conflict continuing "with undiminished intensity inside and outside the United Nations." But he continued to see the United Nations as the main source of hope. He said:

So long as the United Nations exists and functions, we can keep alive the hope and continue the effort for peaceful adjustments, for workable bases of coexistence and even, ultimately, for the reconciliation of what today appears to be irreconcilable.⁵⁴

Mr. Lie again stressed the importance of universality, and stated that regional pacts are essential components of collective security

52. United Nations, Official Records, General Assembly, Sixth Session, Plenary Meetings, 420-22.

53. See United Nations, Official Records, General Assembly, Seventh Session, Plenary Meetings, 187, in which Mr. Lie in his statement of resignation (November 1952), says he decided in the summer of 1952 to resign, and in September confidentially informed the President of the General Assembly of his intention to resign when all the permanent members of the Security Council were at the United Nations.

54. United Nations, Document A/2141/Add. 1, 2.

based on the United Nations. In respect to Korea, he said:

An armistice along the present battle lines would end the aggression approximately where it started and open the way to a restoration of peace and security in the area. Such an armistice would be, in my opinion, the first great victory for the principle of world collective security under law in the whole history of the League of Nations and the United Nations put together.⁵⁵

As in the previous Introduction, he wrote of the need for effective collective security and clearer definitions of government policy in support of this principle, and for more advance planning and preparation. He called for greater economic development of underdeveloped areas.

His final paragraph contains the following reaffirmation of his belief in the United Nations.

Finally, I am deeply convinced that a sober appraisal and an honest judgment of the present state of the world will lead to the conclusion that the very dangers and uncertainties of our times and the magnitude and diversity of the forces of disruption with which we must contend make the United Nations more important than ever in the struggle for peace and progress.⁵⁶

This Introduction differs little from that of the previous year, except in one respect: Lie once more puts forth the call for an armistice along the 38th Parallel.

It appears, therefore, on the evidence available, that between

55. United Nations, Document A/2141/Add. 1, 2.

56. Ibid., 5.

the 1951 and 1952 Introductions, a period of one year, there was little initiative by the Secretary-General, except for the Introductions themselves. Indeed from July of 1951 the level of initiative seems more akin to that during 1947 than to the high level of initiative reached in 1950.⁵⁷

In September, 1952 the major problem occupying the Secretary-General became that of personnel policy, which is primarily an administrative problem. Administrative problems have not previously been considered. However, it is necessary to note the personnel policy issue for it was to affect the political role of the Secretary-General.^{57A} In the summer and fall accusations were being made in the United States that the American staff of the Secretariat were predominantly Communist. In late 1952 Mr. Lie dismissed American members of the Secretariat staff who invoked the Fifth Amendment before an American Congressional Committee and a grand jury in response to questions regarding Communist and other subversive activities. In January, 1953 Mr. Lie submitted his report on personnel policy in justification of his action, and it was subjected to extensive debate in the Assembly. Indeed this problem of personnel seems to be the biggest issue to confront the Secretary-General in the period since

57. See Chapter Three above.

57A. See especially pages 111 to 115 and Chapter 5 below.

July 1951.⁵⁸

It has been noted above that it was in the summer of 1952 that Mr. Lie decided to resign and informed the President of the Assembly

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58. The following is a brief statement of the personnel problem.

Beginning in May 1952 and until December of the same year an Internal Security Subcommittee of the United States Senate Judiciary Committee investigating Communist and other subversive activities called certain American staff members of the United Nations Secretariat. A pattern developed that those called invoked the Fifth Amendment. This was interpreted by certain American circles as meaning that the Secretariat was full of Communists. Communist infiltration of various organizations was at this time a major issue in the United States. In the fall of 1952 a number of the members of the staff of the United Nations refused to testify with respect to Communist affiliations and subversive activities before a grand jury by invoking the Fifth Amendment. Mr. Lie felt that this was contrary to article 1.4 of the Staff Regulations which reads in part: "They shall avoid any action and in particular any kind of public pronouncements which may adversely reflect on their status." In October 1952, the Internal Security Subcommittee of the United States Senate Judiciary Committee moved to New York and held a series of public hearings. Eighteen staff members pleaded the Fifth Amendment. Lie dismissed those holding temporary contracts, but was not sure of his legal right under the staff regulations to dismiss those with permanent contracts. He therefore appointed a Commission of Jurists to render an opinion. The main conclusion of the Jurists, which Lie accepted, was that refusal by the American staff members on grounds of self-incrimination to answer questions about Communist party membership, or any subversive activity, constituted a fundamental breach of Article 1.4 of the Staff Regulations. After giving the staff members in question an opportunity to reverse their stand and not invoke the Fifth Amendment, and after their refusal, Lie dismissed them. Lie also allowed an American security check of American UN personnel, permitting fingerprinting and interviews on United Nations property.

See "Report of the Secretary-General on Personnel Policy," contained in United Nations, Official Records, General Assembly, Seventh Session, Plenary Meetings, 533-40.

in September. This was before the personnel issue had become a major problem. On November 10, 1952, Mr. Lie submitted his formal resignation but agreed to remain as Secretary-General until a successor was appointed.

In his statement to the Assembly Mr. Lie said, in part, and with specific reference to Korea:

There can be an armistice if the Soviet Union, the Chinese People's Republic and the North Koreans are sincere in their wish to end the fighting.

If they are sincere, a new Secretary-General, who is the unanimous choice of the five great Powers, the Security Council and the General Assembly, may be more helpful than I can be. On the other hand, if the world situation should go from bad to worse, at least I would not want the position of Secretary-General to hinder in the slightest degree any hope of reaching a new understanding that would prevent world disaster.⁵⁹

The next day there were appeals in the general debate to Mr. Lie to continue by Anthony Eden (United Kingdom) and the representatives of Brazil and Greece.⁶⁰ Lie says that twenty to thirty came to him in private and asked him to reconsider.⁶¹ Mr. Lie quotes Moscow radio as saying:

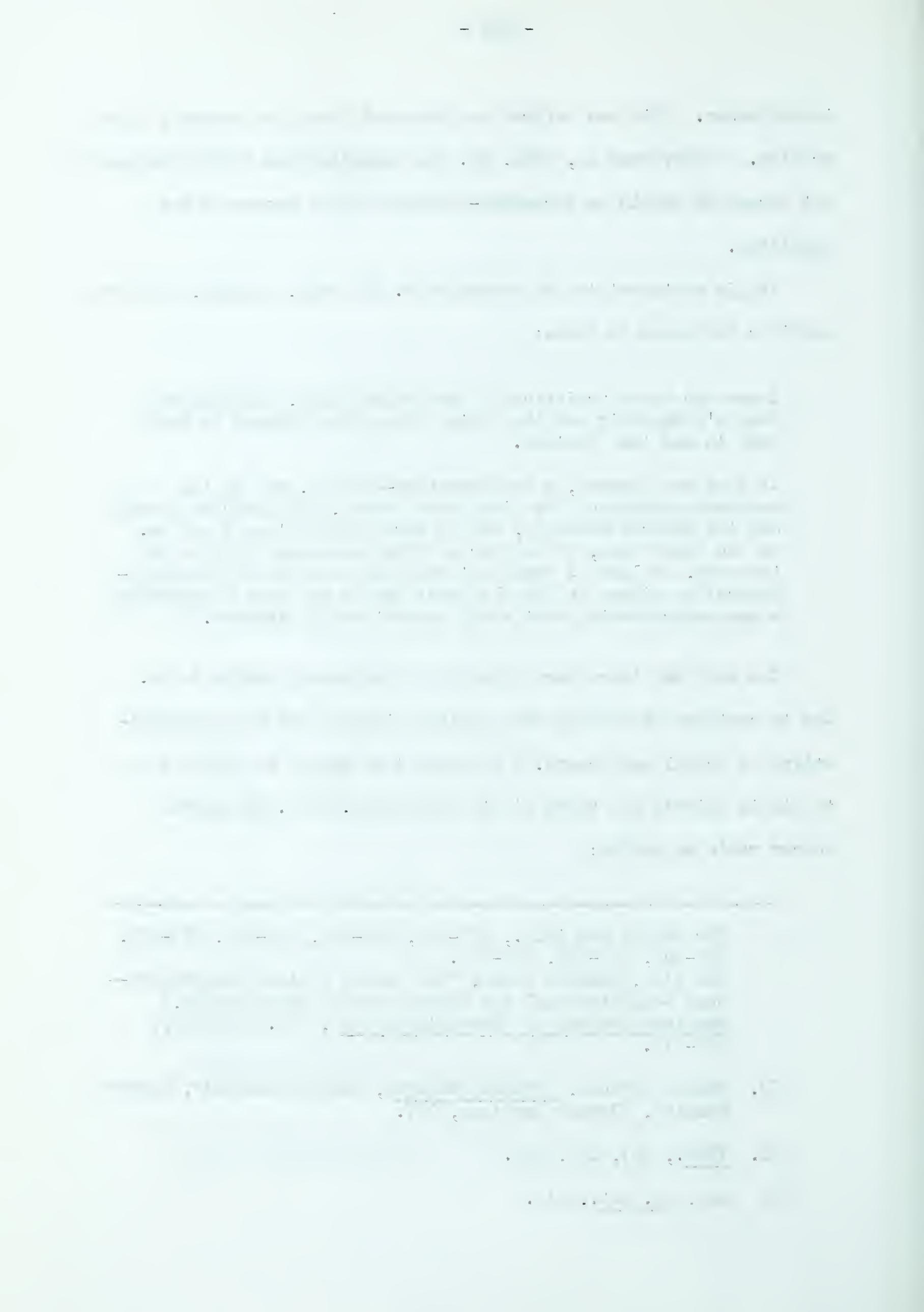
For debate see *ibid.*, 557-558, 579-595, 597-616, 617-631, 633-645, 647-662, 663-668.

See also, Maxwell Cohen, "The United Nations Secretariat--Some Constitutional and Administrative Developments," American Journal of International Law, Vol. 49 (1955), 295-319.

59. United Nations, Official Records, General Assembly, Seventh Session, Plenary Meetings, 187.

60. Ibid., 207, 219, 212.

61. Lie, op. cit., 413.



"Trygve Lie's resignation was a revelation of his complete political bankruptcy. His efforts to help the United States to hide, with the United Nations' flag, the American aggression in Korea gave rise to waves of indignation throughout the world."⁶²

Mr. Lie's resignation was accepted on April 7, 1953. The discussion which took place in the Assembly at the time again illustrates the Soviet Union's intransigent opposition to Mr. Lie. While others paid tribute to Mr. Lie and his efforts in the cause of peace,⁶³ Mr. Vyshinsky said:

By illegally occupying the post of Secretary-General . . . Mr. Trygve Lie showed that he flouted the major obligations of the Secretary-General of the United Nations under the United Nations Charter, the most important being to respect the Charter itself. This alone is enough to enable us to appraise Mr. Trygve Lie's moral and political character; that is precisely what the USSR delegation did as long ago as 1950, when it stated that Lie's conduct had demonstrated his unfitness to discharge the great responsibilities attached to the office of Secretary-General of the United Nations.⁶⁴

Turning now to the reasons for Mr. Lie's resignation, it appears that one of the principal reasons was the opposition of the USSR which considerably hampered the political efforts of the Secretary-

62. Lie, op. cit., 413.

63. See particularly those of the United States, the United Kingdom, and India. United Nations, Official Records, General Assembly, Seventh Session, Plenary Meetings, 671-674.

64. Ibid., 674.

General. This is implicit in the above statement. Mr. Lie expresses his position more forcefully in his Report of the Secretary-General on Personnel Policy. He wrote:

So far as political matters are concerned, I think most of the representatives here know very well that I have, over the past seven years, exercised and firmly defended the political responsibilities that the Charter and organs of the United Nations conferred upon my office. I have sought to do so with caution and with full recognition of the political realities of the times. But I need only recall the Iranian case, the question of representation of China, my ten point programme, Korea, and my annual reports on the world situation, as evidence of my desire to uphold and strengthen the constitutional position of the office of Secretary-General in this respect. There have also been the innumerable private discussions and negotiations on issues before the United Nations in which I have participated and frequently taken the initiative.

I know that a number of Member States on occasion have wished I would remain silent when I felt the situation demanded that I speak out for what I believed to be the interests of the United Nations as a whole. In every case but one, however, the Member States respected my right as Secretary-General to speak and act as I did, while exercising their own right to support or oppose me whether privately or publicly. The one exception has been the Soviet Union, together with the four Member States allied with it.

Because of the stand I took in support of the United Nations action against armed aggression in Korea, these five Member States have refused since 1950 even to recognize me as Secretary-General. For almost three years now I have borne with this situation in silence, overlooking the many violations of established procedure that followed.

Now I believe the time is appropriate for me to say that this action, in my opinion, is by far the most serious violation of Article 100 of the Charter that has occurred.⁶⁵ The

65. Lie is referring to paragraph 2 of Article 100 which reads: "Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities."

policy of the USSR government and its allies has been, and continues to be, a policy of the crudest form of pressure, not only against me but against any future Secretary-General who may incur the displeasure of the Soviet Union for doing his duty as he sees it under the Charter.

It is to a large extent because of this attitude of the Soviet Union that I offered my resignation and requested the General Assembly to appoint my successor during this present session 392nd meeting . Do not misunderstand me. I should have been quite willing to stay on to the end of my term had it been simply a question of continuing to bear with the many attacks upon me by the Soviet Union and its supporters. I have been used to them for a long time and I have at other stages of my life and career had to stand up to similar attacks in different circumstances.

But there is a larger consideration. I want the office of Secretary-General to be in a position to wield its constitutional powers with the greatest possible degree of influence and prestige. When the Secretary-General speaks or acts for peace and freedom in some future crisis, he should have behind him, not only the weight of his constitutional authority, but the weight of political influence conferred upon him by the fact that he is in office by the affirmative votes of all five permanent members of the Security Council and is recognized as Secretary-General by all the Member States.

Thus, although some may say that my resignation constitutes in one respect a yielding to USSR pressure upon me personally, I regard it as an act to strengthen, for the critical times ahead, the office of Secretary-General in the framework of the United Nations and to enhance its influence for peace in the world. That, my friends, has always been my first consideration in everything—not for myself personally, but for my office and my staff.⁶⁶

In his autobiography Mr. Lie says, in referring to the period after February 1951:

66. United Nations, Official Records, General Assembly, Seventh Session, Plenary Meetings, 534-35.

It was no longer possible to exercise the political role of the Secretary-General as the Charter had intended, and as I had sought to develop it over the preceding five years. In a world organization where all sides were represented, my hands were tied with respect to the governments which controlled or influenced one-third of the population of the world. The series of precedents with which I had carefully sought, stage by stage, to build up the influence and prestige of the Secretary-General, not for myself, but in the interest of effective world organization and of peace, could not be carried forward in the circumstances.⁶⁷

The above indicates that a principal reason for resignation was that the Soviet opposition hampered the Secretary-General in carrying out the political functions of his office as he saw them, and as he had tried to develop them. But Mr. Lie himself admits that there was at least one other element: he saw that he was tiring of office, that he was "fed up."⁶⁸

Looking at the period from approximately August of 1950 to the acceptance of Mr. Lie's resignation, a decline in the level of initiative exercised by the Secretary-General, particularly from mid 1951, seems apparent. This is to be contrasted with the earlier evolution where it was found that the political initiative exercised by the Secretary-General reached a quite considerable level with his action with respect to the seating of Communist China, the twenty year peace programme, and his action in the early days of the Korean conflict.⁶⁹

67. Lie, op. cit., 409.

68. Ibid., 411.

69. See Chapter Three above.

The reasons for the decline in initiative would appear to be the opposition of the USSR and Mr. Lie's tiring of office. It would seem likely, however, that these two elements are related, inasmuch as the opposition of the USSR would likely have a bearing on Lie's attitude to his office.⁷⁰

70. Others suggest, eg. Cheever and Haviland, op. cit., 366, that the personnel issue may also have had a bearing on Lie's resignation, but it is to be noted that Lie had decided to resign before he dismissed any of the Secretariat staff.

CHAPTER 5

THE POLITICAL ROLE ENVISAGED FOR THE SECOND SECRETARY-GENERAL AND MR. HAMMARSkjOLD'S ORIGINAL CONCEPTION OF HIS OFFICE

In this chapter an attempt will be made to determine what political role was envisaged for the second Secretary-General, Dag Hammarskjold, and to set out what he considered, at the time of his appointment, the political role of the Secretary-General should be.

As necessary background to the above, it should be mentioned that for some months after Mr. Lie submitted his resignation (November, 1952) the Security Council, with the East-West conflict undiminished, was unable to agree on a candidate for the position of Secretary-General. However, with the death of Marshal Stalin on March 5, 1953, there ensued a certain lessening of tension between East and West, and Mr. Hammarskjold, after a formal vote on three nominations, and the discussion of nine other possible candidates by the five permanent members, was agreed upon.¹

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1. On March 11 the Security Council began a series of closed sessions. General Romulo (Philippines) was nominated by the United States; Denmark, supported by the United Kingdom and France, nominated L. B. Pearson (Canada) and the USSR nominated Stanislaw Strzeszewski (Poland). General Romulo and Mr. Strzeszewski did not receive the requisite majorities. The vote for General Romulo was reported as five (United States, China, Colombia, Lebanon, and Greece) to two (USSR and France) with four abstentions (United Kingdom, Chile, Denmark and Pakistan). Mr. Pearson was supported by nine members. Lebanon, it is believed, abstained, but the Soviet Union cast a veto. Mr. Strzeszewski was supported by the USSR, and opposed by the United States,

Something of the circumstances of this agreement are reported in The New York Times. It appears that Mr. Zorin, the representative of the USSR, "announced that the Soviet Union would not agree to the selection of any Secretary-General from one of the blocs in the United Nations."² In effect, the USSR indicated that it would accept a neutral. Mr. Henri Hoppenot, the representative of France, then brought up the name of Mr. Hammarskjold of Sweden, which was supported by the United Kingdom. The New York Times does not describe the American reaction. The New York Times states that Mr. Zorin was to indicate to the other permanent members that Mr. Hammarskjold was the only candidate of those suggested that the USSR would not veto.³

the United Kingdom and France, with the remainder abstaining. On March 18 the five permanent members met alone, and the names of Madame Pandit (India), Sir Benegal Rau (India), Prince Wan Waithayaken (Thailand), Dr. Nasrollah Entezam (Iran), Dr. Padilla Nervo (Mexico), Dr. Ahmed Bok Lari (Pakistan), Dr. Charles Malik (Lebanon) and Dr. Erik Boheman (Sweden) are believed to have been mentioned. On March 31, on the nomination of France, supported by the United Kingdom, Dag Hammarskjold (Sweden) was agreed upon by the Security Council by a vote of 10 to 0 with Nationalist China abstaining.

For the above, see "Security Council Appointment of a Secretary-General," International Organization, Vol. 7 (1953), 256-7.

The New York Times, April 1, 1953, 1, mentions that Dr. Boheman withdrew his name before his candidacy could be voted on in the Council.

2. The New York Times, April 1, 1953, 10.

3. Ibid.

It is not clear whether the United States decided to support Mr. Hammarskjold before or after the USSR's announcement. The day after the nomination by France, the Council agreed to recommend Mr. Hammarskjold to the Assembly. Nationalist China abstained in the voting, probably because Sweden had recognized Red China.

Bearing the above in mind, the first task is to determine, if possible, what political role France, the United Kingdom, the United States and the USSR wished the second Secretary-General to play.

In the case of the United Kingdom and France, M. B. Dworkis, Professor of Public Administration at New York University, states: "It . . . may be that the British and French Governments, which are said to have sponsored Mr. Hammarskjold, believed he would be more apt to follow in the footsteps of Sir Eric Drummond."⁴ T. J. Hamilton, United Nations correspondent for The New York Times, gives a similar interpretation. He writes:

There are grounds for suspecting that the British Foreign Office and the French Foreign Ministry, who sponsored the appointment of Hammarskjold, did so in the belief that he would confine himself to those duties [administrative duties], or that in any case he would not appear in the limelight any more than did the first Secretary General [sic] of the League of Nations, Sir Eric Drummond, who never gave a press conference and seldom made a speech.⁵

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4. Martin B. Dworkis, "Role of the Secretary-General," 1954 Annual Review of United Nations Affairs (New York, 1955), 176.
 5. Thomas J. Hamilton, "No. 1 Civil Servant of the United Nations," The New York Times Magazine, January 2, 1955, 14.

The above, of course, implies that the United Kingdom and France sought a Secretary-General who would tend to place his main emphasis^{is} on administration, and that the political role would be carried out largely behind the scenes. It should be noted that the background of Mr. Hammarskjold, to which reference will be made below,⁶ tends to confirm that he would at least be expected to bring a different approach to the role of Secretary-General, for he had been a high level civil servant in the Western European tradition for most of his working years.

Nowhere, unfortunately, is there any statement to explain why the British and French, despite their endorsement of a broad political role for the Secretary-General at the time of the extension of Mr. Lie's term and with the commendation of his twenty year peace programme, should now have formed the retrogressive interpretation of the political role suggested by Dworkis and Hamilton. There are, however, certain factors which could have influenced the British and French to form such a view. One is the political role played by Mr. Lie in the latter state of his extended term; another is the personnel policy issue; and still another is the need for the reorganization of the Secretariat.

It may be, in light of Mr. Lie's experience during his extended term, that it was reasoned that a strong public political role by the

6. See pages 125 and 126 below.

Secretary-General, with its risk of antagonism of a principal power and subsequent decline in the political usefulness of the Secretary-General, argued for a more restrained approach.⁷

The principal issue that confronted Mr. Lie during his last six months in office--the issue of personnel policy--may have had some influence.⁸ France, though a sponsor, along with the United States, the United Kingdom, and ten smaller powers, of a resolution that left the Secretary-General free to develop personnel policy in accordance with those provisions of the Charter which guarantee the international character of the Secretariat, had expressed some rather strong criticism of the Lie personnel policy. Mr. Hoppenot, in the week before

7. See Chapter Four above.

8. It should be noted that for a week prior to the nomination of Mr. Hammarskjold the General Assembly was engaged in "sharp debate" on the personnel policy issue. The Assembly had before it two resolutions. One sponsored by the United States, the United Kingdom, France, and ten smaller powers, expressed confidence that the Secretary-General would conduct personnel policy in accordance with Articles 100 and 101 of the Charter. These articles provide, in part, that the Secretary-General and the Secretariat shall not receive instructions from any government or authority external to the Organization, and that the paramount consideration in employing staff was to be efficiency, competence, and integrity, paying due regard to recruiting on as wide a geographical basis as possible. A second part of the resolution requested the Secretary-General to submit to the General Assembly at the Eighth Session a report on the progress made in the conduct and development of personnel policy. The other resolution, sponsored by the Afro-Asian bloc, implied disapproval of Mr. Lie's policy and called for an investigation into the personnel issue. The USSR and its satellites, the Afro-Asian bloc, and to a lesser extent the Scandinavian countries, criticized particularly the tying of the United Nations to the investigating procedures of the United States.

nominating Mr. Hammarskjold, had gone so far as to speak of "an 'internal crisis' within the United Nations and had said that files had been 'doctored' or 'destroyed'.⁹ This issue therefore, may have, in part, led France to seek a Secretary-General who would place greater emphasis on administration. The United Kingdom, however, had generally supported Mr. Lie on personnel policy, though it had criticized the allowing of American officials to conduct fingerprinting and interviews of American members of the Secretariat on United Nations premises.¹⁰

A third possible factor was the need for Secretariat reorganization. This was a need which all the principal powers recognized and Mr. Lie had been instructed to draw up plans for reorganization. Mr. Lie had paid little attention to administration,

See United Nations, Document A/2361/Add. 1., 5; "Administrative Arrangements," Yearbook of the United Nations 1953 (New York, 1954), 61; The New York Times, April 1, 1953, 21; United Nations, Official Records, General Assembly, Seventh Session, Plenary Meetings, 557-558, 579-595, 597-616, 617-631, 633-645, 647-662, 663-668.

9. The New York Times, April 2, 1953, 11.
See also, United Nations, Official Records, General Assembly, Seventh Session, Plenary Meetings, 604-08.
Mr. Lie apparently felt quite bitterly toward the French over the personnel issue. See "Lie Assails French on U.N. Staff Issue," The New York Times, April 2, 1953, 11.
10. For a brief account of the views of the principal powers, see "Administrative Arrangements," loc. cit., 61-67.

and the machine was working none too efficiently.¹¹

The above appear as possible factors; there may be others. It is not clear which particular factor, or combination of factors, may have been most instrumental in forming the reported British and French views.

As to the American opinion of the political role that Mr. Lie's successor should play, there is no indication, despite the administrative problems facing the Secretary-General, that the United States wished to see him play other than a vigorous political role. There is no

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11. Beginning at the Sixth Session, the General Assembly had pressured Mr. Lie into drawing up proposals for re-organization. Mr. Lie had submitted certain tentative proposals, acknowledged that the existing structure was too cumbersome, and indicated that he had not previously undertaken any extensive re-organization because he had felt bound by the recommendations made in 1946 by the Preparatory Commission. No decision was taken on the merits of Mr. Lie's tentative proposals, but it was decided to put the matter of re-organization on the agenda of the Eighth Session and to request the Secretary-General to submit a further report on the problems involved. There was agreement among the principal powers that re-organization, with resultant economies, was necessary.

Martin B. Dworkis, "Reorganizing the Secretariat," 1954 Annual Review of United Nations Affairs (New York, 1955), 176.

For comments on Mr. Lie's lack of interest in administration, his failure to give effective leadership to the Secretariat and to develop a successful administrative system, and on the turmoil in the Secretariat's professional personnel and the deterioration of employee morals, see Dworkis, "Role of the Secretary-General," loc. cit., 176; Waldo Chamberlain, "Strengthening the Secretariat; Analysis and Proposition," The Annals of the American Academy of Political and Social Science, Vol. 296 (November, 1954), 133.

indication that the United States had changed those views with respect to the office of Secretary-General that it had expressed in supporting Mr. Lie.¹²

As mentioned above, it is not clear whether the United States had decided to support Mr. Hammarskjold before the USSR announced that Mr. Hammarskjold was the only candidate it would not veto. There is no indication that the United States had any desire to oppose Mr. Hammarskjold. There are certain factors that would argue for his acceptability. It would seem likely that the United States would have been inclined to support a Scandinavian upon whom Britain and France had agreed. In view of the earlier statement by the USSR that it would support a neutral, Mr. Hammarskjold would likely have appeared as a candidate upon whom, at last, reasonable agreement might be possible. A further factor which could have influenced acceptance was the personnel policy issue, for The New York Times reports that agreement on a new Secretary-General would likely bring the personnel debate to an end.¹³ During this debate, though it was Mr. Lie who was under attack, the United States was also being attacked by implication at least. However, it seems certain that once the USSR had made its announcement that it would support Mr. Hammarskjold, the United States would have been, with the United Kingdom, France, and the USSR agreed, politically unable to do little but support him.

12. See Chapter Four above.

13. The New York Times, April 1, 1953, 21.

In the case of the USSR, it is known that it had said, in effect, that it would support "an official of a government that has sought to steer clear from East-West disputes."¹⁴ In light of this, and considering the difficulty that the USSR had experienced with Mr. Lie, it would seem probable that it favoured a Secretary-General whose motivation was similar to that of the state from which he came, and therefore one who would be inclined to play a neutral and less vigorous political role. The USSR had strongly supported the need for reorganization of the Secretariat and criticized the Lie personnel policy. To the extent that it was sincere, these administrative problems could have acted as considerations that would argue for a greater emphasis on the administrative role. The actual decision to support Mr. Hammarskjold may have been, in part, a result of the mounting peace campaign which the USSR was then engaged, and which had begun shortly after the death of Stalin.¹⁵

14. The New York Times, April 1, 1953, 1

15. A mid-April issue of Newsweek carries a summary of the events from mid-March to mid-April in the Communist peace offensive. They are: March 15 - Malenkov says peaceful negotiations can solve East-West issue; March 19 - talks proposed with the British to avoid air incidents over Germany, with the United States and France later included; March 20 - Molotov acts personally to free British, and later French, civilians in North Korea; March 26 - Ten American editors offered visas for one week in Moscow; March 28 - Peking accepts U.N. offer to exchange sick and wounded in Korea; March 30 - Chou En-Lai withdraws Communist insistence on forced repatriation of prisoners, to which Molotov later agrees; March 31 - USSR agrees on a Swede as U.N. Secretary-General; March 31 - Four Power talks to reunify Germany suggested; April 6 - Panmunjom talks to resume.

"Peace Offensive," Newsweek, April 13, 1953, 31.

In light of what has been said above with respect to the principal Powers, there is some evidence to suggest that Mr. Hammarskjold was chosen, in part, in the expectation that he would tend to give greater emphasis to the administrative aspect of the office of Secretary-General than Mr. Lie had done.

It was suggested above that Mr. Hammarskjold's background would tend to indicate that he would likely bring a different approach to the role of Secretary-General. It seems appropriate at this stage to elaborate on this point.

It should be noted that Mr. Hammarskjold's background differs from that of Mr. Lie, though there is the common factor that they are both Scandinavians. Mr. Lie came from a poor family, worked his way through university, early adopted political affiliations becoming a strong democratic socialist and labour leader, and rose to important office in the Norwegian cabinet where he was a minister for many years. Mr. Hammarskjold, on the other hand, was a member of a distinguished family of civil servants and military officers. He had a record of considerable intellectual achievement and was, until two years before his appointment, a career civil servant. His had been a brilliant career, first in finance where he had been Deputy Minister of Finance and head of the Bank of Sweden, and later in external affairs. It was in 1946 that Mr. Hammarskjold joined the Swedish Foreign Ministry as a financial expert, and it is reported that his diplomatic career was spent almost entirely in the field of international economics.¹⁶

He was to become deputy minister and in 1951 to join the Swedish cabinet as minister without portfolio. However, The New York Times reported that Mr. Hammarskjold, though a member of Sweden's Labour cabinet, was a non-partisan in politics. He was referred to as one of Sweden's most talented administrators and one of that country's ablest negotiators.¹⁷ An article in The New York Times, datelined from Stockholm, stated: "Mr. Hammarskjold is primarily an economist and therefore not involved in politics."¹⁸ It would appear, therefore, that the background of Mr. Hammarskjold, except for the years 1951-53, was more like that of Sir Eric Drummond of the League of Nations than that of Albert Thomas of ILO or Trygve Lie.

From the above statement of the background of Mr. Hammarskjold it would seem that, not being a career politician, he would likely bring a different emphasis to the role of Secretary-General than Mr. Lie did. This background was likely known to the countries that sponsored him, and would lend support to the statements that Britain and France in particular wished to see a greater emphasis placed on administration and less on a public political role.

Attention will now be directed to the views expressed by Mr. Hammarskjold with respect to his new office.

In August of 1953 Mr. A. M. Rosenthal, after an interview with

17. The New York Times, April 1, 1953, 9.

18. The New York Times, April 2, 1953, 12. For brief biographies of Messrs. Lie and Hammarskjold see World Biography, Fifth Edition (Bethpage, N.Y., 1954), 691, 479.

Mr. Hammarskjold, wrote that the Secretary-General, as had been reported, did place considerable emphasis on the importance of good administration, for good administration was essential if policy was to be effectively carried out. However, Mr. Hammarskjold did not believe that administration was the principal role of the Secretary-General. He quoted Mr. Hammarskjold as saying: "This is a political job. I am a political servant. Administration is just a tool at my command."¹⁹

The Secretary-General felt that administration was important as an auxiliary to the political role. In this political role Mr. Hammarskjold said that the Secretary-General should be a man

"who the delegations know can be used to check their own opinions against the opinions of other countries, who will pass on to other delegations not their confidences but the conclusions he has drawn from them, who perhaps can advise, who perhaps is in a better position to judge than any single delegate."²⁰

But if the Secretary-General was to perform this role, particularly if he was to give effective advice, he must have the confidence of the delegations. To build this confidence Mr. Hammarskjold felt he had to steer away from bold diplomatic moves, and the ensuing personal publicity. "'You know, people don't mind advice', he said. 'But they don't like being publicized as taking advice. A question of tact!'"²¹

19. A. M. Rosenthal, "Dag Hammarskjold Sizes Up His U.N. Job," The New York Times Magazine, August 16, 1953, 45.

20. Ibid.

21. Ibid.

This then is a picture of a Secretary-General realizing the importance of effective administration, but thinking, however, that his primary role was to be political, albeit conducted largely behind the scenes.

There is always the possibility that the above interview is not an entirely accurate representation of the Secretary-General's views at that time. Fortunately the Secretary-General in a speech in September of 1953 presented a definite statement of his conception of the role of the Secretary-General. It seems best to quote him at length:

I do not conceive the role of the Secretary-General and the Secretariat as representing what has been called a "third line" in the international debate. Nor is it for him to try and initiate "compromise" that might encroach upon areas that should be exclusively within the sphere of responsibility of the respective national governments.

On the other hand I see the duty of the Secretariat to form, in the first instance, a most complete and objective picture of the aims, motives, and difficulties of the Member nations. Acting in that knowledge, it is our duty to seek to anticipate situations that might lead to new conflicts or points of tension and to make appropriate suggestions to the governments before matters reach a stage of public controversy.

Beyond this, the Secretary-General should express with full frankness to the governments concerned and their representatives the conclusions at which he arrives on issues before the Organization. These conclusions must be completely detached from any national interest or policy and based solely on the principles and ideals to which the governments have adhered as Members of the United Nations. In other words, the relationship of the Secretary-General to the governments should be one of a trusted consultant on those considerations following from adherence to the Charter and membership in the United Nations that should be taken into account by governments in coming to their own policy decisions.

Clearly such a relationship of mutual confidence and trust would be impossible in an atmosphere of publicity.²² This does not mean that the Secretary-General should not also be a public spokesman for the Organization. Indeed, to explain, interpret, and defend the United Nations to the peoples of the world is one of the important duties of his office. But he should never do this in such a way as to contravene his obligations as representative of all Member nations and to the principles of the Organization. He should not permit himself to become a cause of conflict unless the obligations of his office under the Charter and as an international civil servant leave him no alternative.²³

In sum, therefore, it appears that there is some suggestion that certain of the principal Powers hoped that Mr. Hammarskjold would bring a different emphasis to the office of Secretary-General than did Mr. Lie. The background of Mr. Hammarskjold would tend to suggest the likelihood of a different approach, and this seems confirmed by Mr. Hammarskjold's words. It appears that Mr. Hammarskjold felt that his role as Secretary-General was to be a political one, and that the effectiveness of this role would depend, in part, on efficient administration. He placed much more emphasis on administration than did Mr. Lie. His conception of the political role itself differed from that developed by Mr. Lie. Mr. Hammarskjold seemed to picture

22. See also, "Secretary-General's Views on Techniques of Modern Diplomacy," United Nations Bulletin, Vol. XV, No. 9 (November, 1953), 434.

23. Address by the Secretary-General given at a dinner in his honour by the American Association for the United Nations in co-operation with the New York University Institute for Review of United Nations Affairs and entitled: "Together in our Concern, Our Hopes, and Our Determination," United Nations Bulletin, Vol. XV, No. 7 (October, 1953), 279.

himself as a confidential adviser to delegations on issues involving the United Nations. His principal political activity would be carried on behind the scenes. He wished his public utterances to concern the general principles of, and obligations to, the United Nations, rather than trying to direct a solution of specific problems. His desire to avoid making the Secretary-General a subject of controversy might possibly spring from a viewing of the experience of Trygve Lie, and his general approach seems to reflect the civil service background. However, Dr. Hammarskjold does state that it is his duty to defend the Charter, and if necessary, after trying other alternatives, he would take a public stand against its violation.

CHAPTER 6

MR. HAMMARSKJOLD'S POLITICAL ROLE 1953-1956

In this chapter an attempt will be made to determine what political role was played by Secretary-General Hammarskjold from his appointment in April, 1953 until October, 1956. It will be recalled that in the previous chapter it was suggested that Mr. Hammarskjold's original conception of his office involved to a considerable extent a behind-the-scenes approach. Since it is unlikely that much of this behind-the-scenes effort is documented, what follows may not convey a complete picture.

After two and one half months in office, on July 15, 1953, Mr. Hammarskjold wrote his first Introduction to the Annual Report. It will be recalled that under Trygve Lie the Introduction was used as a political instrument intended to influence the United Nations, and indeed the wider audience of world opinion.¹

In his first Introduction Mr. Hammarskjold cautioned that the Annual Report only deals with the short term aspects of United Nations activities and consequently gives a fragmented picture. The actions of the United Nations should be viewed as a whole, as a continuous process over a long period of time. He drew attention to certain fundamental principles upon which the United Nations is based: international law and, "on a somewhat different level, . . . a truly

1. See Chapters Three and Four above.

international civil service, free from all national pressure and influences."² He called upon the nations to work toward extending the scope of international law and to respect the independent position of the Secretariat. The United Nations, it was stated, should be less a forum for voicing complaints and "more for the presentation of proposals furthering the common end."³ The true solution of international conflicts was seen as being related to economic and social problems and the pressures they engender. He spoke of the interdependence of the world and said that the maximum usefulness of the organization required universality of membership. Emphasis was placed on the importance of the restoration and reconstruction of Korea, to demonstrate that the Organization "will join in brotherly aid to bind up the wounds of battle."⁴ He stressed the importance of economic development.⁵

Mr. Hammarskjold adopted substantially the same type of Annual Report as Trygve Lie had evolved. The mention of the Secretariat might have followed from the personnel problem that Mr. Hammarskjold inherited from Mr. Lie. He supported one of Mr. Lie's favourite concepts--universality of membership--and put the weight of the office of Secretary-General behind continuing the efforts to reconstruct Korea. There is throughout the Introduction, however, a certain restraint in expression, and a stress on economic affairs.

2. United Nations, Document A/2404, xi.

3. Ibid.

4. Ibid., xiii.

5. For text of Introduction, see ibid., xi-xv.

In September Mr. Hammarskjold gave his address "Together in Our Concern, Our Hopes and Our Determination,"⁶ in which he outlined his conception of his office, and emphasized that the Secretary-General should, without publicity, act as the confidant and trusted adviser of governments.⁷

There is no indication that Mr. Hammarskjold engaged in any extensive behind-the-scenes activity in 1953. His only public statement with political significance appears to be the Introduction to the Annual Report. The major concern of the Secretary-General seems to have been in the field of administration.⁸ This apparent administrative emphasis may have followed from Mr. Hammarskjold's original conception of his office in which efficient administration was felt to be necessary as a basis for effective political activity.⁹ However, it also seems apparent that any Secretary-General would have had to be concerned to some degree with the personnel problem inherited from Mr. Lie, and

6. See Chapter Five, page 128, above.

7. "Together in Our Concern, Our Hopes and Our Determination," United Nations Bulletin, Vol. XV, No. 7 (October, 1953), 277-280, 309.

8. Mr. Hammarskjold was successful in having the staff regulations revised so that there was a provision specifically prohibiting political activities by members of the Secretariat, apart from the right to vote, unless authorized by the Secretary-General and in adding new grounds for dismissal. He also proposed to study the problem of re-organization of the Secretariat, and put forward certain plans. On December 9, 1953, the General Assembly, by a vote of 50 to 5 with 3 absences, approved the proposed revisions to the regulations and, at the same meeting, took note of the proposed re-organization and asked for a further report during the Ninth Session.

"Administrative and Budgetary Matters," International Organization, Vol. 8 (1954), 110-112.

9. See Chapter Five above.

would have faced the problem of re-organization.

Early in 1954 the Secretary-General spoke at the mid-winter commencement exercises of the University of Pennsylvania. He made a brief reference to President Eisenhower's proposal for peaceful uses of atomic energy, saying:

What made the proposal of President Eisenhower in the United Nations so encouraging and so constructive was the strong expression he gave to his desire for, and faith in, the possibility of initiating a true atomic age.¹⁰

By a true atomic age Mr. Hamarskjold meant one in which atomic energy was harnessed for peaceful purposes.¹¹ It seems worthy of note that Mr. Hammarskjold appears to be saying--it is not the American plan that I approve of, but the spirit behind it.

In February the Government of India wrote to the Secretary-General concerning eighty-nine former prisoners of the United Nations Command in Korea who were being cared for temporarily in India. These former prisoners were North Koreans and Chinese Volunteers who had expressed the desire, as was their right under the Korean Armistice Agreement, to go to neutral countries, and who had been sent to India by the Neutral Nations Repatriation Commission pending decisions as to

10. "In 'Age of Responsibility' All Can Wield Influence," United Nations Bulletin, Vol. XVI, No. 5 (March 7, 1954), 200.

11. For complete text, see ibid., 199-200.

their final disposition.¹²

India claimed that the United Nations was responsible for the care and maintenance of these men and requested Mr. Hammarskjold's assistance in bringing about their dispersal to the neutral nations of their choice.¹³

Mr. Hammarskjold replied that responsibility for the former prisoners of war was a matter for the General Assembly to decide, but

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12. The following background is necessary to a proper understanding of this matter. The Neutral Nations Repatriation Commission took over the prisoners held by the North Koreans and Chinese Volunteers and by the United Nations Command. The NNRC was to give the prisoners an opportunity to come forward and indicate whether they wished to be repatriated, and to assist in repatriation. Prisoners could also elect to go to neutral countries. Among the North Koreans and Chinese Volunteers a leadership group developed from the ranks of those who did not wish to be repatriated. This group was determined to prevent any former prisoner of the United Nations Command coming forward to indicate to the NNRC that he wished to be repatriated. The group let it be known that anyone attempting to come forward would be assumed by the group to desire repatriation and would be subject to severe punishment by it. The group resorted to murder to enforce its will. The work of the Repatriation Commission was so frustrated that it decided to turn the prisoners it was holding back to their original detaining powers. The eighty-nine did not wish to return to the United Nations Command. Before the transfer was to take place the eighty-nine came forward to indicate their desire to go to neutral countries. They came forward despite the threat of possible death at the hands of the leadership group. The eighty-nine were sent to India. Before their disposition the Neutral Nations Repatriation Commission was dissolved.

United Nations, Document A/2641, 118-120, 164.

13. United Nations, Document A/C1/771, 3.

he did "offer his good offices in approaching certain countries in order to ascertain their willingness to receive some of these ex-prisoners of war."¹⁴ Mr. Hammarskjold was to address enquiries to those neutral nations to which the prisoners wished to go "with a view to ascertaining the general attitudes of those Governments as to the possibility of receiving some of these prisoners."¹⁵ He also had consultations with the representatives of the Government of India.

The above actions of Mr. Hammarskjold took place in the two months following the Indian request. Further limited conversations were to take place in the remainder of 1954. There is no indication of any objection by the principal Powers to his action.

The next matter of significance is the 1953-54 Introduction to the Annual Report which was written in July, 1954. In it Mr. Hammarskjold referred to the United Nations as a tool created by the member governments to serve them in establishing and maintaining peace. He wrote that it was necessary to strike a careful balance between using the United Nations and other diplomatic means. While every serious effort inside or outside the organization framework was to be welcomed, he put forth a caution.

14. United Nations, Document A/C1/771, 3.

15. United Nations, Document A/2809, 6.

To fail to use the United Nations machinery on those matters for which Governments have given to the Organization a special or primary responsibility under the Charter, or to improvise other arrangements without over-riding practical and political reasons--to act thus may tend to weaken the position of the Organization and to reduce its influence and effectiveness, even when the ultimate purpose which it is intended to serve is a United Nations purpose.¹⁶

He went on to say:

In those cases where the normal processes of diplomacy remain adequate and preferable, such as those at Berlin and Geneva . . . the United Nations may be safeguarded if the Organization is kept in the picture and its appropriate organs are officially informed about developments. This will enable the Organization to render the most effective service if and when, at a later stage, it is seized with problems in regard to which other approaches have first been attempted.¹⁷

He wrote of the necessity of the United Nations to oppose any policy in conflict with the principles of the Charter.

Unrelenting efforts were called for in the fields of disarmament and atomic energy. Once more, as in 1953, it was maintained that without universality of membership the United Nations could not be fully effective. Mr. Hammarskjold, however, recognized that, if it did not seem possible to break the present long jam all at once, "a beginning might be made with some of those cases which did not directly enter into the balance between the conflicting camps."¹⁸

16. United Nations, Document A/2663, xi.

17. Ibid.

18. Ibid., xii.

He referred to the tensions in the Middle East and to having "offered my services to the parties in order to facilitate negotiations aiming at the solution of certain practical problems of limited scope."¹⁹

Again stress was placed on the problem of economic development and the need for an effective rehabilitation programme in Korea. One third of the Introduction concerned a "Review of the Role of the Secretariat." Reference was made to the forthcoming possibility of Charter Review in 1955, and the hope was expressed that the Charter would be given careful consideration, but no suggestions were made.²⁰

There is evidence here of the Secretary-General attempting to influence the United Nations. Generally he did not offer solutions to particular political problems, though pointing to matters where he considered efforts were necessary. It should be noted that the remarks with respect to universality of membership pointed to a step-

19. United Nations, Document A/2663, xii.

It is not clear when the Secretary-General made such an offer. The only documented action is his compliance with Article XII of the Israel-Jordan Armistice Agreement under which, in the absence of mutual agreement, either party may call upon the Secretary-General to convene a conference of the two parties to review, revise or suspend the armistice agreement. Israel so requested and the Secretary-General suggested the agenda "should be limited to concrete matters of limited scope." See *ibid.*, 24.

20. For full text see ibid., xi-xv.

by-step approach as a possible way in which to realize the ideal of universality. The nature of ^{the} offer of good offices with respect to the Middle East question may be interpreted as embodying a similar approach.

At this point note should be taken of Mr. Hammarskjold's proposed solution to the re-organization problem, for it is, as will become obvious, related to the political role he intended to play. The plan for re-organization was completed in September 1954, and, after consideration by the Fifth Committee, was approved in December by the Assembly.²¹ "This plan . . . emphasized his great interest in administrative matters. It suggested that he expected to delegate 'political responsibilities within specific fields' to his under-secretaries." The solution adopted by Mr. Hammarskjold confirms that he had a natural concern, as first suggested in Chapter Five above, for administrative matters. It appears that Mr. Hammarskjold had decided to devote a larger part of his time to the direction of day-to-day administration than Mr. Lie had done.

Turning now to an assessment of the role played by Mr. Hammarskjold

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21. United Nations, Official Records, General Assembly, Ninth Session, Plenary Meetings, 54. For the discussion in committee, see United Nations, Official Records, General Assembly, Ninth Session, Fifth Committee, Meetings 435-43, 445-50, 459-60.
 22. Francis O. Wilcox and Carl M. Marcy, Proposals for Changes in the United Nations (Menasha, Wisc., 1955), 406.

jold during the period from his assumption of office until early in December of 1954, T. J. Hamilton, United Nations correspondent for The New York Times, suggests that the Secretary-General was principally concerned with the re-organization of the Secretariat. He made few appearances in the representational role, and, in the main, though he employed the Introduction to the Annual Report, he exercised little public political initiative.²³

A certain significant development of Mr. Hammarskjold's political role was to take place in December, 1954. On December 10 the Assembly passed a resolution, by a vote of 45 to 5 with 7 abstentions, requesting the Secretary-General to seek by whatever means he thought appropriate, with unremitting effort, the release of eleven airmen and all other captured personnel of the United Nations Command being detained in Communist China.²⁴ He was charged to report on or before 31 December 1954.

The prisoners in question were mainly American, and the primary concern was for the eleven American airmen. Mr. Lodge, American

23. Thomas J. Hamilton, "No. 1 Civil Servant of the United Nations," The New York Times Magazine, January 2, 1955, 14.

24. The USSR, supported by Poland, Czechoslovakia, the Ukrainian SSR, and the Byelorussian SSR, maintained that the United States had brought up the complaint to cover its aggressive designs on China. The USSR and its supporters maintained that the American aircraft had been brought down over China, that the subversive activity of which the airmen were convicted fell entirely within Chinese domestic jurisdiction, and that the Korean Armistice Agreement did not exonerate anyone from crimes committed against China, for China was not a belligerent. See United Nations, Official Records, Ninth Session, Plenary Meetings, 379-443, 462.

Ambassador to the United Nations, stated that the United States had sought their release and had been rebuffed. He indicated that President Eisenhower felt that the Chinese Communists might be trying to goad the United States into some compulsive act that would divide it from the free world, so they had turned to the United Nations.²⁵

This was the conferring of a task on the Secretary-General; it was not an example of political initiative by him. However, that this task was entrusted to the Secretary-General could indicate a certain faith in Mr. Hammarskjold, who had not apparently antagonized any power, and in the political potentialities of the office of Secretary-General. This is certainly the tone of the remarks of the representative of France.²⁶

The manner in which Mr. Hammarskjold sought to obtain the release of the prisoners appears to be of some significance. Less than one hour after the Assembly made its decision Mr. Hammarskjold sent a cable to Prime Minister Chou En-Lai in which he stated, in part:

"In the light of the concern I feel about the issue, I would appreciate an opportunity to take the matter up with you personally. For that reason I would ask you whether you could receive me in Peking. I would suggest a visit soon after December 26 and would, if you accept my proposal, ask you what date at about that time would be suitable to you"²⁷

25. United Nations, Official Records, General Assembly, Ninth Session, Plenary Meetings, 383.

26. *Ibid.*, 422.

27. "The Secretary-General's Mission to Peking," United Nations Review, Vol. 1, No. 8 (February, 1955), 2.

It was not disclosed by the Secretary-General at the time that he had taken this move. That afternoon he merely announced that steps had been taken, but said that it would not serve the purposes of the resolution if he disclosed what they were.

On December 17 the Premier of the Peoples' Republic of China stated, by cable, his preparedness to receive Mr. Hammarskjold. On December 30 Mr. Hammarskjold left for Peking for four days of meetings.

Throughout, Mr. Hammarskjold sought to avoid publicity with respect to the negotiations, a policy which he defended as follows:

" . . . open diplomacy is a must in a democratic world, but on the other hand open diplomacy, or the false kind of publicity at the wrong stage, prematurely, has often frozen positions in a way which has rendered the solution much more difficult. That, and only that, is the reason why I myself have stuck to a very restrained and cautious attitude and policy indeed. I feel that nobody is served--no interest is served--if we are to have the so-called full light of publicity on these talks, on this affair at a stage where the light might render the solution more difficult because it might tend to freeze positions"²⁸

This is the same attitude toward publicity that he had previously expressed.²⁹

28. "The Secretary-General's Mission to Peking,"
loc. cit., 5.

29. See especially Chapter Five above.

As to the results of the meetings, Mr. Hammarskjold indicated that this was but the first stage in his efforts and the purpose of the talks had been to establish personal contact, to achieve a certain understanding, and to pave the way for further negotiation. Mr. Hammarskjold said: "I do feel . . . that the door has been opened and can be kept open, given restraint on all sides."³⁰ He also admitted that other questions had been discussed, but there was not "any link between these other questions and the prisoner question."³¹ These other discussions were carried out by virtue of powers vested in the office of the Secretary-General, and were not related to the Assembly mandate.³²

T. J. Hamilton of the New York Times describes the mission to Peking as a considerable break with Mr. Hammarskjold's prior experience in the office of Secretary-General. Though the task of securing the release of the airmen was assigned to the Secretary-General, he need not, since he was given complete discretion, have gone personally to Peking, but could, for example, have used an intermediary; he need not have gone beyond his mandate and discussed other problems. Hamilton suggests that this greater political activity may have been made possible by the near completion of the Secretariat reorganization.³³

30. "The Secretary-General's Mission to Peking," loc. cit., 7.

31. Ibid., 6.

32. For above description of the Mission to Peking, see ibid., 2-9.

33. Hamilton, loc. cit., 14.

It was on January 19, 1955, that the first effects of the Peking mission became evident. On that date Peking announced that China would provide facilities for relatives to visit United States personnel.

Mr. Hammarskjold continued his efforts to have the airmen released, mainly through a series of communications transmitted through the Swedish embassy in Peking. On a visit to Sweden on April 23, 1955, however, Mr. Hammarskjold renewed personal contact with a representative of Communist China. On May 29 four flyers were released and arrived in Hong Kong on May 31. Tribute was then paid to Mr. Hammarskjold by Ambassador Henry Cabot Lodge, Secretary of State Dulles and General Nathan F. Twining, service head of the American air force.³⁴

Mr. Hammarskjold's reaction to the release of the flyers, as expressed at a press conference, is reported as follows:

"The result we have achieved is most encouraging indeed", he observed, "but it does not entitle us to any change in our restraint, in our whole attitude to this problem."

When questioned regarding the Assembly's request to report progress, Mr. Hammarskjold said that so far he had felt that a public report during the continued negotiations

34. For brief description of Mr. Hammarskjold's efforts see his report to the Assembly, reproduced as "Report on The Released Airmen," United Nations Review, Vol. 2, No. 4 (October, 1955), 49.

would not be useful or in the interest of the flyers; on the contrary it would likely be harmful "unless so watered down as not to mean a thing." However he would feel obliged to report to the Assembly . . . as soon as that could be done without any harmful effects and at all events at the tenth session in September if by that time the whole matter was not concluded.³⁵

In keeping with the above statement, Mr. Hammarskjold quietly continued his efforts. He did so mainly by means of correspondence. On August 1 the seven remaining airmen arrived in Hong Kong.³⁶

On July 8, 1955 Mr. Hammarskjold completed his Introduction to the Annual Report for the year 1954-55. In it he wrote of the desirability of taking steps toward holding a Charter review conference even if such were not actually convened. He referred, as might by now be expected, to the value of quiet diplomacy within the United Nations, whether between the member governments or in contacts between the Secretary-General and the member governments, as a supplement to conference diplomacy. Again, as in each of the previous Introductions he referred to universality saying:

So long as the United Nations continues to fall so far short of universality of membership, it is true that there will remain serious obstacles to its effective use in some questions of world concern.³⁷

He reported on his negotiations with Peking to which reference has already been made above.

35. "Release of Four Airmen from Peking Imprisonment," United Nations Review, Vol. 2, No. 1 (July, 1955), 17.

36. "Report on The Released Airmen," loc. cit., 49.

37. United Nations, Document A/2911, xii.

Mr. Hammarskjold said that progress had been "disappointingly slow and uncertain"³⁸ toward establishing the rule of law between nations, and he hoped that a period with a more favourable atmosphere was being entered. He expressed his grave concern over certain incidents in the Gaza strip and regretted that efforts by the Secretary-General and the Chief of Staff had not been successful in making, in accordance with a Security Council resolution, the administration of the armistice regime more effective.

The Secretary-General went on to refer to the importance of the emerging problems of Africa, of the problem of the world economy, of the need for technical assistance. He described the present programme of technical assistance as falling short of the need, and indicated that one of the principal problems was the uncertainty from year to year arising out of fluctuating resources. Finally Mr. Hammarskjold referred to the Secretariat re-organization as being nearly complete.³⁹

This Introduction attempted to indicate to the United Nations those fields in which action was necessary. As such, it must be considered a political instrument. It is to be noted that Mr. Hammarskjold once more referred to the value of quiet diplomacy.

During part of the time when Mr. Hammarskjold was engaged in trying to secure the release of the American airmen and in the

38. United Nations, Document A/2911, xiii.

39. For full text of the Introduction, see United Nations, Document A/2911, xi-xvi.

presentation of his Introduction, he also undertook further activity with respect to those ex-prisoners of the Korean War temporarily resident in India. On May 12 he had a meeting with the representatives of Argentina, Brazil, the Dominican Republic, and Mexico. He also used the occasion of the meetings commemorating the tenth anniversary of the signing of the Charter in San Francisco to hold a further meeting concerning the ex-prisoners. Argentina and Brazil, in August and September respectively, partly as a result of Mr. Hammarskjold's efforts, agreed to receive all the ex-prisoners who wished to go to their countries.⁴⁰ At no point is there any evidence of any objection by any of the principal Powers to Mr. Hammarskjold's actions in this matter.

The year 1955, or more accurately the period December, 1954 to the end of 1955, saw an increase in the level of political activity by the Secretary-General. This increased activity was principally marked by the efforts to secure the release of the American airmen, action associated with an Assembly mandate. The technique employed by Mr. Hammarskjold involved an emphasis on quiet efforts and realizable goals. This is evident even in the mission to Peking, despite its natural dramatic effect. He did not apparently antagonize any of the principal Powers.

40. For the above, see United Nations, Document A/C1/771, 3.

Attention must now be directed to that part of 1956 ending in October. At six meetings between March 26 and April 4, the Security Council considered the situation in the Middle East, for renewed incidents had broken out on the Israel-Egyptian border. The United States submitted a draft resolution by which the Security Council would, inter alia:

- (2) request the Secretary General to undertake, as a matter of urgent concern, a survey of the various aspects of the enforcement of and compliance with the four General Armistice Agreements and the Council's resolutions . . . ;
- (3) request the Secretary-General to arrange with the parties for the adoption of any measures which after discussion with the parties and with the Chief of Staff he considered would reduce existing tensions along the Armistice Demarcation Lines, including the following points: (a) withdrawal of their forces from the Armistice Demarcation Lines; (b) full freedom of movement for observers along the Armistice Demarcation Lines and in the Defensive Areas; (c) establishment of local arrangements for the prevention of incidents and prompt detection of any violations of the Armistice Agreements . . .⁴¹

The United States delegate explained the resolution as meaning that the Secretary-General was to arrange for the adoption of any measures necessary to bring about recompliance with the Armistice Agreements.⁴² The USSR introduced an amendment to the resolution to the effect that it should be basically acceptable to all parties concerned. This amendment was defeated, and the American resolution was adopted unanimously.⁴³ The USSR voted for the resolution because

41. United Nations, Document A/3137, 13.

42. United Nations, Document S/PV. 719, 8-10.

43. United Nations, Document S/PV. 720, 5.

it was found after the defeat of its amendment that the American resolution was acceptable to the parties concerned, and also because the measures contemplated would be within the framework of the Armistice Agreements and would be taken only in agreement with the parties concerned and the Security Council.⁴⁴

In his statement following the adoption of the resolution Mr. Hammarskjold expressed the hope that all those interested in a good outcome of his efforts would assist by exercising restraint.⁴⁵

In his press conference the Secretary-General is reported to have

explained that he considered himself to be acting in two capacities. The first, was to undertake a mission for the Security Council as a representative of the Security Council. That assignment was well-defined. The Secretary-General however, always remained the Secretary-General, and as such, he had unlimited right, under the Charter, to bring up with Governments points which he thought were worth consideration because, in his view, they tended to complicate matters or increase tension. He hastened to add, however, that if he felt as Secretary-General, that he should go into broader problems or if broader problems were brought up outside his mandate by the Security Council, they should not be covered in the report he planned on submitting to the Council within the one-month time limit.⁴⁶

Here, once more, a political task was assigned to the Secretary-General. It would appear that the quiet diplomacy of the Secretary-

44. United Nations, Document S/PV. 722, 11.

45. Ibid., 12.

46. "Mr. Hammarskjold's Mission," United Nations Review, Vol. 2, No. 11 (May, 1956), 67.

General and the success of his Peking mission had won the confidence of the Council members. The Secretary-General again, as he had done in the case of the American airmen, stated his right to go beyond a mandate conferred upon him.

On April 6 Mr. Hammarskjold left by air to view the scene for himself and to consult directly with the Governments concerned. He considered that his mandate included the re-establishment of fullest possible compliance with the Armistice Agreements, and that the basic requirement to this end was a reaffirmation by the parties concerned of their obligations to observe the cease-fire.⁴⁷

In his stay in the Middle East, from April 10 to May 3, Mr. Hammarskjold was successful in having the cease-fire generally re-established; he was also able to secure written assurances from Egypt, Jordan, Lebanon, Syria and Israel that each of them would unconditionally abide by the cease-fire clause, providing the other parties so complied, reserving only their right of self-defence under Article 51 of the Charter. It was agreed that the cease-fire clauses were independent of the rest of the obligations under the Agreements. Certain practical measures with respect to ensuring compliance with the Armistice Agreements were also agreed to.⁴⁸

47. United Nations, Document A/3137, 14.

48. For above statement on Middle East trip, see ibid.

Mr. Hammarskjold, in describing his efforts, said in part:

"I . . . stayed strictly within the scope of my mandate. This means that I have left aside those fundamental issues which so deeply influence the present situation, and that I have devoted all my attention to the limited task of re-establishing first of all a cease-fire, and based on the cease-fire, a state of compliance with the Armistice Agreements."

"It may be said that this does not meet the needs of the situation. In my own view, confirmed by the frank and full discussions I have had with the leaders in the Middle East, I feel that the re-establishment of full compliance with the Armistice Agreements represents a stage which has to be passed in order to make progress possible on the main issues which I have considered to be outside my mandate."⁴⁹

It would appear that, despite Mr. Hammarskjold's assertion of the right of the Secretary-General to go beyond the actual mandate received from the Council, he did not do so. Again he displayed his practical step-by-step approach.

Having re-established the cease-fire, and submitted his report, Mr. Hammarskjold was unanimously commended by the Security Council, as were the other parties involved. His approach was approved, and he was requested to continue his good offices and report to the Security Council as appropriate.⁵⁰

In accordance with the June resolution, Mr. Hammarskjold, in conjunction with the Chief of Staff of the Truce Supervisory Organiza-

49. "A Fresh Starting Point for Orderly Progress in the Middle East," United Nations Review, Vol. 2, No. 12 (June, 1956), 59.

50. United Nations, Document S/PV. 728, 7.
See also, "Mr. Hammarskjold's Continuing Good Offices in Middle East," United Nations Review, Vol. 3, No. 1 (July, 1956), 51-56.

ion, continued his efforts until well into September, 1956. These do not appear to have been particularly successful.

From mid-August the situation in the Middle East deteriorated steadily. Two incidents on the 14 and 16 of August caused the Secretary-General to make statements reminding Egypt and Israel of their duty to observe the cease-fire.⁵¹

It will be recalled that the Secretary-General, under the June 4 resolution, had been directed to report to the Security Council at his discretion on the fulfillment of the Armistice Agreements. Mr. Hammarskjold had grown increasingly alarmed about the situation and on September 12 submitted a report. On September 12 and 14 he also handed notes to the Israel and Jordan representatives at the United Nations in which "he noted with grave concern the continued acts of violence."⁵²

In his report of September 12 Mr. Hammarskjold stated:

"I have wished to bring what has been reported here to the attention of the Security Council in order to emphasize my concern for the lack of positive initiatives, shown by all the governments in the region, the unsatisfactory implementation of the cease-fire,[sic], the obstructions to improving the status and efficiency of the observer organization and new serious departures from compliance with the armistice agreements."⁵³

51. United Nations, Document A/3594, 3.

52. "Secretary-General's Report on the Middle East Situation," United Nations Review, Vol. 3, No. 5 (November, 1956), 32.

53. Ibid., 62.

On September 26 Mr. Hammarskjold sent a letter to the Security Council in which he again expressed his concern.

The most recent events at the Jordan-Israel demarcation lines have brought to a culmination a development which has been progressing for a few months. I have, so far, not found that I should ask the Security Council to take the situation up for active consideration. However, if the governments concerned, in co-operation with the Truce Supervision Organization, do not bring the situation rapidly under control, I submit that the Security Council should take the matter up in order to reaffirm its policy, as established in previous resolutions, and were the Council to find the continued deterioration to constitute a threat to peace, to decide on what further measures may be indicated.⁵⁴

It is difficult to say just how this action should be considered. It cannot be considered as a threat to invoke Article 99 since the Council had charged the Secretary-General to report as appropriate.

On October 4 Mr. Hammarskjold completed his Introduction to the Annual Report for 1955-56. In it he hailed the increase in membership of the United Nations as the most important development during 1955-56; called for greater emphasis on the United Nations as an instrument for negotiating settlements rather than for debate; referred to considerable progress having been made in the field of atomic energy; and called for increased help to Africa which "is in a crucial state of transition."⁵⁵ He considered the importance of world economic problems and suggested once more the need for an

54. United Nations, Official Records, Security Council, Eleventh Year, Supplement for July, August and September 1956, 48-49.

55. United Nations, Document A/3137/Add. 1, 3.

international civil service to assist the underdeveloped countries.⁵⁶

Under a section entitled "Budget and Administration," he referred to the

increased responsibilities which the Secretary-General has had to shoulder in recent times. These responsibilities have, especially in the course of 1956, made it necessary for the Secretary-General to be absent from Headquarters for considerable periods and have engaged an increasing part of his time when at Headquarters. This development has been linked primarily to the special tasks entrusted to the Secretary-General by the Security Council in relation to the Palestine problem. It is, of course, too early to say to what extent such special tasks may indicate a continuing trend in the development of the functions of the Secretary-General. In any event, they have demonstrated the desirability of a system sufficiently flexible to enable the Secretary-General to devote a major part of his time to specific political problems.⁵⁷

The Secretary-General mentioned the above in connection with the suggestion that he states had been made, though he does not indicate by whom, to the effect that he should revert to Mr. Lie's practice of delegating the greater part of the administrative responsibilities of his office. The Secretary-General wrote that he was not convinced such was at that time necessary, but that in light of another year's experience he would make a positive decision.⁵⁸

This is an Introduction for the most part expressed in general terms, with the concept of an international civil service for underdeveloped areas as its only positive recommendation, and this no

56. See also, "For a New Approach to International Aid and Technical Assistance," United Nations Review, Vol. 3, No. 1 (July, 1956), 10-15.

57. United Nations, Document A/3137/Add. 1, 7.

58. For full text of the Introduction, see United Nations, Document A/3137/Add. 1, 1-8.

longer new. Despite the concern which Mr. Hammarskjold had indicated previously with respect to the Palestine situation he makes no reference to it. Perhaps the most significant item is the reference to his increased political role during 1956. Yet his decision to make no changes in the organization at this time because he was not sure that the level of political activity would be continuing, even though admitting that the system should be flexible enough to enable the Secretary-General to devote a major part of his time to political activity, would seem to indicate that the Secretary-General had not decided that on his own initiative he would maintain the level achieved in 1955-56.

On September 26 the situation arising out of the nationalization of the Suez Canal Company was placed on the agenda of the Security Council.⁵⁹ The question was discussed at seven open and three closed meetings held up to, and including, October 13. Between October 9 and 12, six private meetings were held by the Foreign Ministers of France and Egypt and the Foreign Secretary of the United Kingdom in the office and presence of the Secretary-General. Out of these meetings came the six principles which the Security Council was to approve on October 13, principles upon which a Suez settlement should be based.⁶⁰

59. Egypt had first proclaimed the nationalization of the Suez Canal Company on July 26, 1956 and the matter had been handled outside the United Nations.

60. See United Nations, Document S/PV. 743, 18.

Mr. Lloyd and Mr. Pineau said that Mr. Hammarskjold's assistance was of the greatest help.⁶¹ There is no direct evidence to indicate the actual degree to which Mr. Hammarskjold influenced the content of the principles. There may be some suggestion, however, in the words of Mr. Dulles, who, after the vote approving the principles, stated:

It is understood that the Council remains seized of this matter and that the Secretary-General may continue to encourage interchange between the Governments of Egypt, France and the United Kingdom--a procedure which has already yielded positive results.⁶²

Mr. Hammarskjold later commented, in part: "My efforts to be of assistance will be pursued as indicated by Secretary of State Dulles."⁶³

Between October 13 and 19, Mr. Hammarskjold held private talks with the Foreign Minister of Egypt and on October 24 in a confidential letter to him set out his conclusions on possible arrangements for meeting the six requirements. By letter, received on November 2,
Egypt accepted the major part of Mr. Hammarskjold's conclusions.⁶⁴

Near the end of October two events occurred which were to be of considerable concern to the United Nations: the Soviet intervention in

61. "Requirements for a Settlement of the Suez Canal Situation," United Nations Review, Vol. 3, No. 5 (November, 1956), 20.

62. United Nations, Document S/PV. 743, 18.

63. "Requirements for a Settlement of the Suez Canal Situation," loc. cit., 59.

64. United Nations, Document A/3594, 8.

Hungary and the invasion of Egypt by Israel, soon to be followed by similar action by the United Kingdom and France. Unfortunately there is not sufficient material yet available to evaluate the part played by the Secretary-General with respect to these two conflicts.

Discussion of Mr. Hammarskjold's political role must, therefore, end at this point.

What, then, was the level of political activity by Secretary-General Hammarskjold over the period beginning in 1953? Subject to the limitation that there is not complete evidence as to Mr. Hammarskjold's activities behind the scenes, it would appear that up until late 1954 the Secretary-General was primarily concerned with administrative problems, and his delegation of certain political activities to under-secretaries may indicate a genuine interest in administration. It will be recalled that Mr. Hammarskjold stated early in his term of office that sound administration was a necessary base for the political role, though he also stressed that his office was largely a political one. It may be because the re-organization was nearly complete that in December 1954 there began an increased emphasis on the political role. This was particularly marked by the mission to Peking. With 1956, as witness the words in the 1955-56 Introduction, a great deal of his time was occupied with political matters. However, it also appears that he had not yet decided what level of political activity he should maintain.

There was a certain characteristic associated with the most important political undertakings of Secretary-General Hammarskjold-- mandates conferred by the Assembly and the Council. This assignment of political tasks may reflect a certain confidence in the quiet step-by-step and in many instances successful approach employed by the Secretary-General. Within the mandates conferred the Secretary-General exercised considerable initiative. But he also asserted his right, by virtue of the powers conferred on his office, to go beyond the actual mandates, and he did go beyond them on occasion.

Mr. Hammarskjold does not appear to have incurred the opposition of any of the major Powers. Probably an important element in winning this support was the quiet approach that he employed, and also his tendency not to embark on his principal political moves without the Assembly or Council first having indicated that he should act. However, he maintained that he would have to act, as a last resort, as the guardian of the Charter. Mr. Hammarskjold's words uttered in 1953 to the effect that he would try to avoid becoming an element of controversy seem to have been borne out.

It should be pointed out that Mr. Hammarskjold employed, aside from the Introduction to the Annual Report, and the limited use of the public address, few of the techniques developed by Mr. Lie.

CHAPTER 7

CONCLUSION

In 1945 the United Nations conferred a political role upon the office of the Secretary-General. As a result of the Report of the Preparatory Commission, this role was interpreted as including a mediatory and an informal advisory function. The specific power of the Secretary-General to bring any matter which he thought might threaten international peace and security to the attention of the Council (Article 99) was referred to as a "quite special right." It was agreed that it was impossible to foresee how Article 99 would be applied. The Commission also referred to a representational role. In its nature this role is related to the political.

The recommendations of the Preparatory Commission were broadly and, in large part, vaguely drawn, probably to cover a range of opinion. The lack of specific definition left room for growth and development of the political role. It is difficult to say, however, whether the sponsoring powers, though providing for growth, envisaged the actual development, in terms of nature and extent, that has occurred. The limited evidence available suggests that a range of opinion existed in 1945-46, and it would seem doubtful that any of the principal Powers foresaw the level of development of the political role that was to take place, at least under Trygve Lie.

Any Secretary-General would likely have felt bound by the provisions of the Charter, as interpreted by the Report of the Preparatory Commission, to play a political role. He need not, however, considering the generality of the Charter and the recommendations, have placed primary emphasis on that role.

Mr. Lie indicates that from the outset he intended to give first place to the political aspect of his office and to further its development. There is little doubt that he attempted to do just that. Indeed, in the first case of his political intervention, the "abortive" Iranian intervention in April of 1946, he may have gone too far, too fast. It may be that it was this event that convinced Mr. Lie that he would have to develop the political role gradually. This also appears as the first instance of many where the attitude taken by a state to the moves of the Secretary-General was conditioned by whether the stand taken by him tended to be in the interests of that country.

During the remainder of 1946 further rights and precedents were established as the development process proceeded. During 1947, likely as a result of his generally unsuccessful interventions before the Council, Mr. Lie turned principally to the public platform outside the United Nations. However, he also spoke on two occasions to the Assembly, one of which was to present the Annual Report. In redirecting his efforts Mr. Lie seems to have reacted to the lack of success of his approach. The years 1946-47 were those of least political activity by the Secretary-General. Though only sporadic attempts

were made to influence political problems, Mr. Lie did place primary emphasis on the political role, and he began certain techniques, like the Introduction to the Annual Report, that were later to be more fully used and developed.

With 1948-49 Mr. Lie moved into a higher level of political activity. He now sought, by continuing effort over a period of months in each case, to influence the solution of certain political problems. He acted boldly, but there is evidence in certain questions of a tendency, after an initial strong public stand, to avoid unnecessarily antagonizing the parties involved by a further public approach. In the case of his proposed United Nations Guard, the advocacy of which gave rise to attacks on Mr. Lie by the USSR as exceeding his powers, Mr. Lie was to modify his plan downward. Though it is likely that the modification flowed from the Soviet opposition, no definite statement has been found to confirm such a relationship.

As the nations became more accustomed to the Secretary-General playing a strong political role, Mr. Lie took stronger and stronger stands. This was particularly true with the year 1950 when the strongest stands must also be associated with perhaps the most serious problems that confronted the United Nations at that time--the USSR's boycott of the United Nations over the issue of the seating of Communist China, and the Korean War. It was in this year that Mr. Lie advocated the seating of Communist China and the twenty year peace

programme, and made his intervention before the Council in the Korean case. The accolade for the greatest political effort by a Secretary-General in the period under review must go to Mr. Lie for his twenty year peace programme designed to preserve peace and further human betterment through the United Nations. It was with this peace programme that Mr. Lie most fully assumed the role of an international statesman.

During 1950 Mr. Lie abandoned much of what he refers to as his feeling that the political role of the Secretary-General had to be developed gradually. He appears to have assumed an exaggerated conception of political realities. He took stands that he knew well to be controversial and running counter to the interests of certain principal Powers. As a result he was accused, almost alternately, of being an agent of the East or West. In the case of Korea, however, any Secretary-General imbued with the spirit of the Charter would likely have felt bound to support collective action. Yet, in light of the fact that the United States had already assumed the initiative and requested a meeting of the Council, the necessity of "invoking" Article 99 may be open to question. It was this "invocation" of Article 99 that was to make Mr. Lie the "fair-haired boy" of the United States and an anathema to the USSR.

The extent to which Mr. Lie became an element of controversy is perhaps best seen in the procedure that was adopted to extend his term, a procedure which is considered by some, notably including

Hans Kelsen, to be extra-legal. This procedure in itself may have considerable significance for the office of Secretary-General because it provides a method by which, though he may have antagonized a principal Power, the Secretary-General may be continued in office. Also with the decision to extend Mr. Lie's term, and more particularly with the approval of his initiative in undertaking his peace mission, a high level of political activity by the Secretary-General was formally accepted by virtually all but the Soviet bloc. Indeed Article 99 was now given such a liberal interpretation as in effect to authorize any political activity within the principles of the Charter. This extreme endorsement of the political concept of the office of the Secretary-General was given, however, at a time when feeling was running very high with respect to the Korean War. This may, therefore, have been a conditioning factor in the wide acceptance of the broad interpretation.

The wide interpretation given to the political authority of the Secretary-General did not prevent a considerable decline in Mr. Lie's activity by mid-1951. It was the opposition to Mr. Lie by the USSR which was the major factor in the decline, and the principal reason for Mr. Lie submitting his early resignation. Mr. Lie also admits, however, that he was tiring of office, though this may have resulted from the difficulties created by the Soviet opposition. Mr. Lie claims to have felt that the USSR's opposition to him had destroyed much of his political usefulness. The decline in the political role

played by Mr. Lie was not, therefore, principally voluntary, but rather it flowed in large measure from the Soviet opposition. This seems to indicated that opposition of a principal world Power, that is to say, the United States or the USSR, might have considerable effect on the political usefulness of the Secretary-General in matters involving these Powers.

After the decline in his political activity, and particularly during the last six months in office, Mr. Lie was almost completely occupied with the administrative question of personnel policy.

When Mr. Hammarskjold was appointed to be Mr. Lie's successor, it appears, though more evidence would be helpful, that there was a range of opinion among the major powers as to the political role that the Secretary-General should play. Despite the endorsement of Mr. Lie's extensive political activity in 1950, it seems that at least the two sponsoring powers, the United Kingdom and France, wished to see the second Secretary-General place a great emphasis on administrative functions and turn more to a behind-the-scenes political role. These two sponsoring powers may have sought, at least in part, a Secretary-General who would show such a tendency. It is not clear what factors influenced the United Kingdom and France in forming this apparent retrogressive interpretation of the political role. The immediate problems of the re-organization of the Secretariat and the personnel policy question may have had some effect. Another possibility on which,

unfortunately, there is no evidence, is the effect that the Soviet opposition to Mr. Lie, with coincident decline in his political usefulness, may have had. It also may be, as mentioned, that the 1950 interpretation was somewhat exaggerated because of the Korean issue. The USSR too, since there was no likelihood of a Soviet partisan being accepted as Secretary-General, and in light of the trouble it had had with Trygve Lie, may have favoured a Secretary-General who would be inclined to play a more restrained political role than Mr. Lie had done.

Mr. Hammarskjold, as Mr. Lie had done, claimed that his primary role was to be political, but indicated that he would bring to the role a much different approach. He held a greater appreciation of administration, a function of the office of Secretary-General which, as has been mentioned, Mr. Lie virtually neglected. Where Mr. Lie had increasingly taken controversial stands, and used the public approach, Mr. Hammarskjold proposed to avoid, unless absolutely necessary to defend the Charter, becoming an element of controversy. He sought to place emphasis on a role which might be described as that of a confidential adviser to delegations on matters confronting the United Nations, a role which would be carried out primarily behind the scenes. This attitude to his role may have been the result of viewing Mr. Lie's experience, or it may have followed naturally from Mr. Hammarskjold's background, which was essentially Western European civil service in nature, or it may have been a combination of these and other factors.

During the first twenty months, Mr. Hammarskjold gave to his role a definite administrative emphasis, something that Mr. Lie had never voluntarily done, and his delegation of certain political functions to under-secretaries indicates his genuine interest in administration. The primary emphasis on administration during this first period, however, may have been prompted by the pressing problems of re-organization of the Secretariat. Mr. Hammarskjold engaged in little political activity. His public political activity was confined largely to the use of the Introduction to the Annual Report.

The shift to a greater emphasis on the political function was begun in late 1954, and by 1956, according to Mr. Hammarskjold, political matters involved a major part of his time. During this period he continued to use the Introduction to the Annual Report. His major political moves with respect to specific political issues, however, were generally undertaken only after the Assembly or the Council had requested him to act by conferring mandates upon him. It must be pointed out, though, that the Secretary-General need not have displayed the initiative that he did in carrying out these tasks. Further, he did not always confine himself entirely to the mandate conferred, and he also declared his right, by virtue of the powers conferred on his office, to go beyond the mandates. Throughout he displayed an approach which involved the concentration on realizable goals, generally shunning publicity.

The fact that mandates were conferred on Mr. Hammarskjold may have considerable significance. Despite the reported attitudes of

certain of the principal Powers at the time of Mr. Hammarskjold's appointment, it would appear that by late 1954 and thereafter, they were again thinking of the Secretary-General as a political agent and conferring tasks upon him. Part of this change may be explained by the confidence Mr. Hammarskjold's approach may have created.

The conferring of political tasks constitutes, in that part of Mr. Hammarskjold's career under review, a striking difference between his political role and that of Mr. Lie. Whereas Mr. Lie was at various stages in part restrained in his political activity by the attitude of certain of the Powers, in the case of Mr. Hammarskjold it may be said that his political role was further developed by the members of the United Nations. It should be noted further that Mr. Hammarskjold took no controversial stands and did not become the subject of attack on an issue in the East-West conflict as Mr. Lie had done. It must be recalled, of course, that during that part of Mr. Hammarskjold's term under review, the East-West conflict was not as intense as it had been during Mr. Lie's extended term.

All that has been said above serves to emphasize that during the period under review the political role of the Secretary-General of the United Nations went through one process of development and had begun another. As can be seen, the fluctuation in emphasis on the political role and its nature and extent seems to have followed from a combination of factors: the attitudes of the Secretaries-General themselves, the attitudes of the Powers, and the problems confronting

the United Nations.

Finally, there is a question to be considered which this writer approaches with considerable hesitation--what can be said of the merits of the two approaches? First, an important function of the Secretary-General should be to keep the public informed of the work being done by the United Nations and of the aims and objectives of that organization. Here is the place for Mr. Lie's public approach.

This public approach can be applied, as Mr. Lie applied it, to the promotion of particular solutions to political problems. However, experience has demonstrated that a stand by the Secretary-General against the position of the USSR or the United States, certainly on major issues, has little likelihood of changing the position of these powers and may only serve to make the Secretary-General an object of controversy. Such an approach will likely lead to the destruction of any usefulness the Secretary-General might have as a confidential adviser or mediator.

The Hammarskjold approach to particular political problems has more to commend it. The behind-the-scenes, step-by-step approach, avoiding unnecessary publicity and controversy, brought positive results. Mr. Hammarskjold has shown that a Secretary-General with realism, discretion, and negotiating ability can be effective in assisting the members of the United Nations to find the solution to particular political problems. It may be, however, that Mr. Hammarskjold was too hesitant in initiating his political moves.

It is this writer's opinion that the ideal Secretary-General should combine elements of the public approach of Mr. Lie and the discreet approach of Mr. Hammarskjold. He should undertake a public representational function. He should also make himself available to render quiet assistance to the member nations in their search for solutions to political problems. Beyond making himself available, however, there would likely be situations where, having evaluated the possible reaction to initiative by him, the Secretary-General may quietly extend his good offices and initiate efforts to bring about agreement on problems of limited scope.

However there will be situations when the Secretary-General should depart from the suggested mold. The Secretary-General should act as defender of the Charter, a position which both Mr. Lie and Mr. Hammarskjold acknowledged. In this respect the particular instrument at the command of the Secretary-General is Article 99 in its narrow interpretation. The invocation of Article 99 should be reserved, however, for matters of the utmost seriousness, particularly cases of armed aggression or ~~the~~ threat of such aggression. However, Article 99 should be used with discretion. Before invoking Article 99 the Secretary-General should try as far as possible to ascertain the views of the principal Powers as to the action they are prepared to take on the question at issue. Article 99 should preferably be used where it would serve to precipitate successful action. If it is evident that action will be taken, as in the case of the Korean issue, then it seems unnecessary to invoke Article 99.

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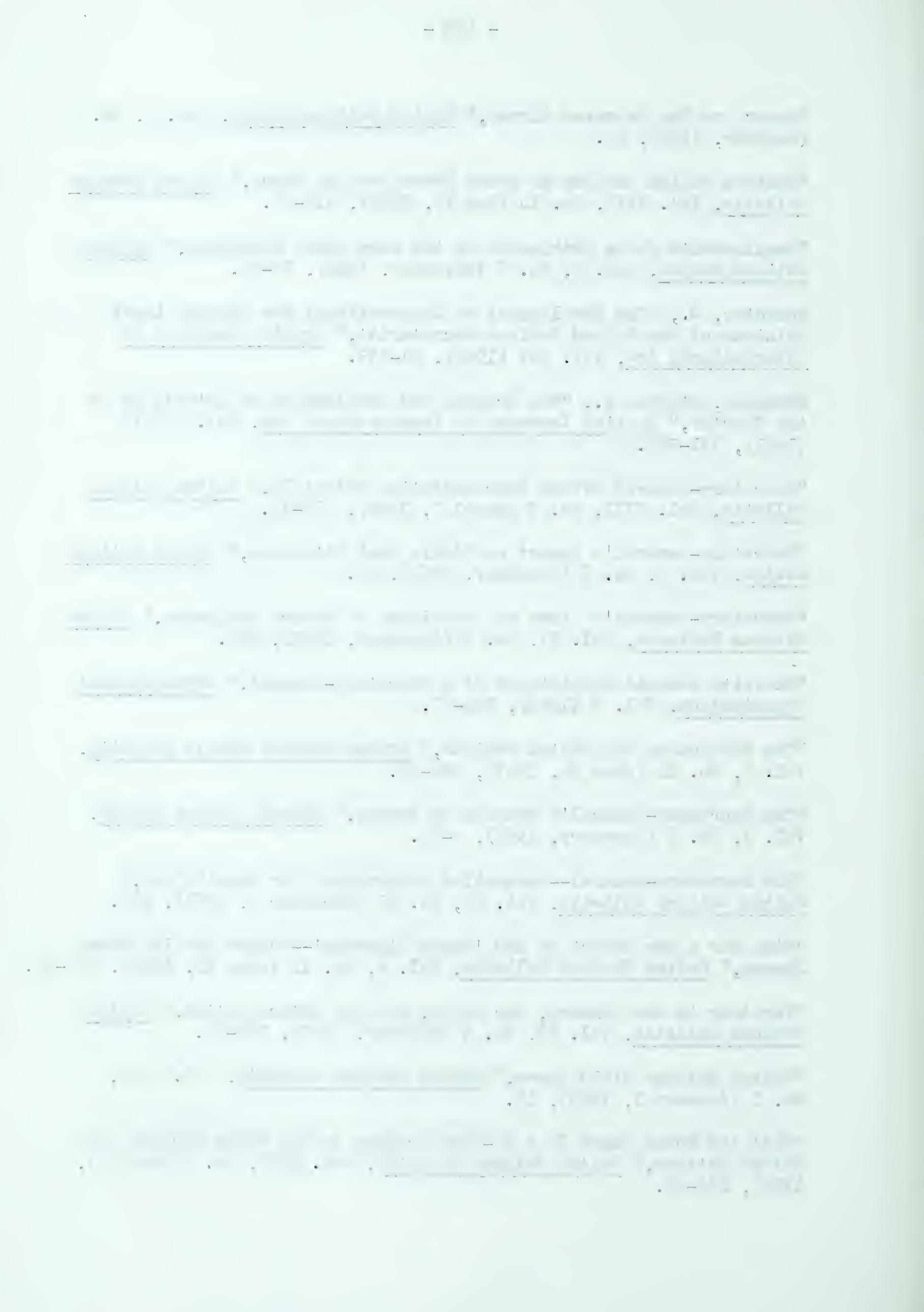
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